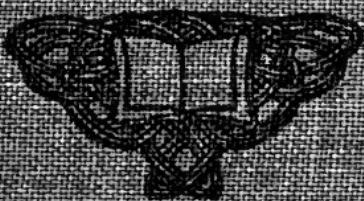
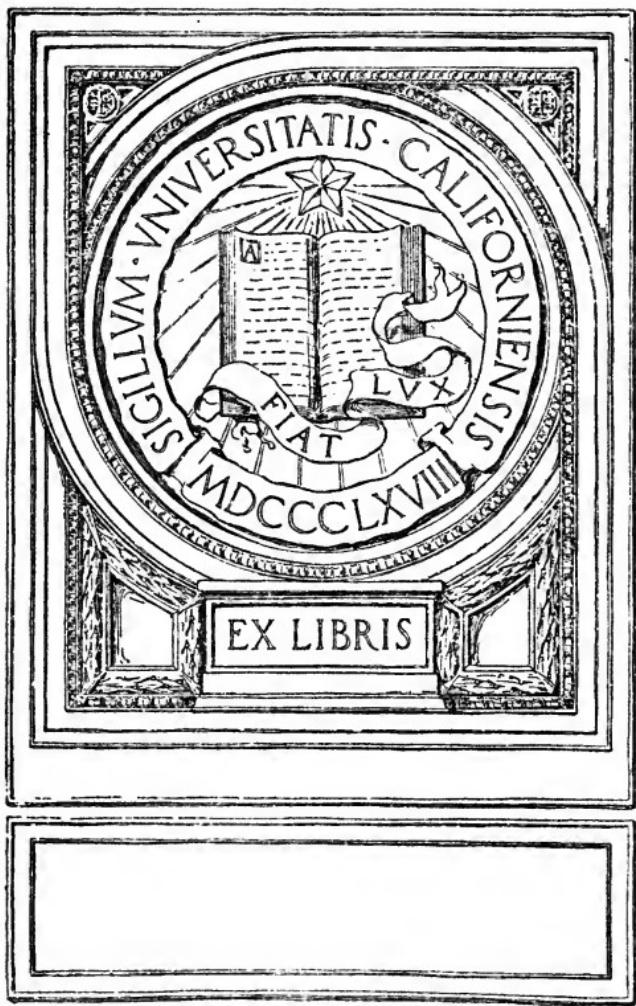


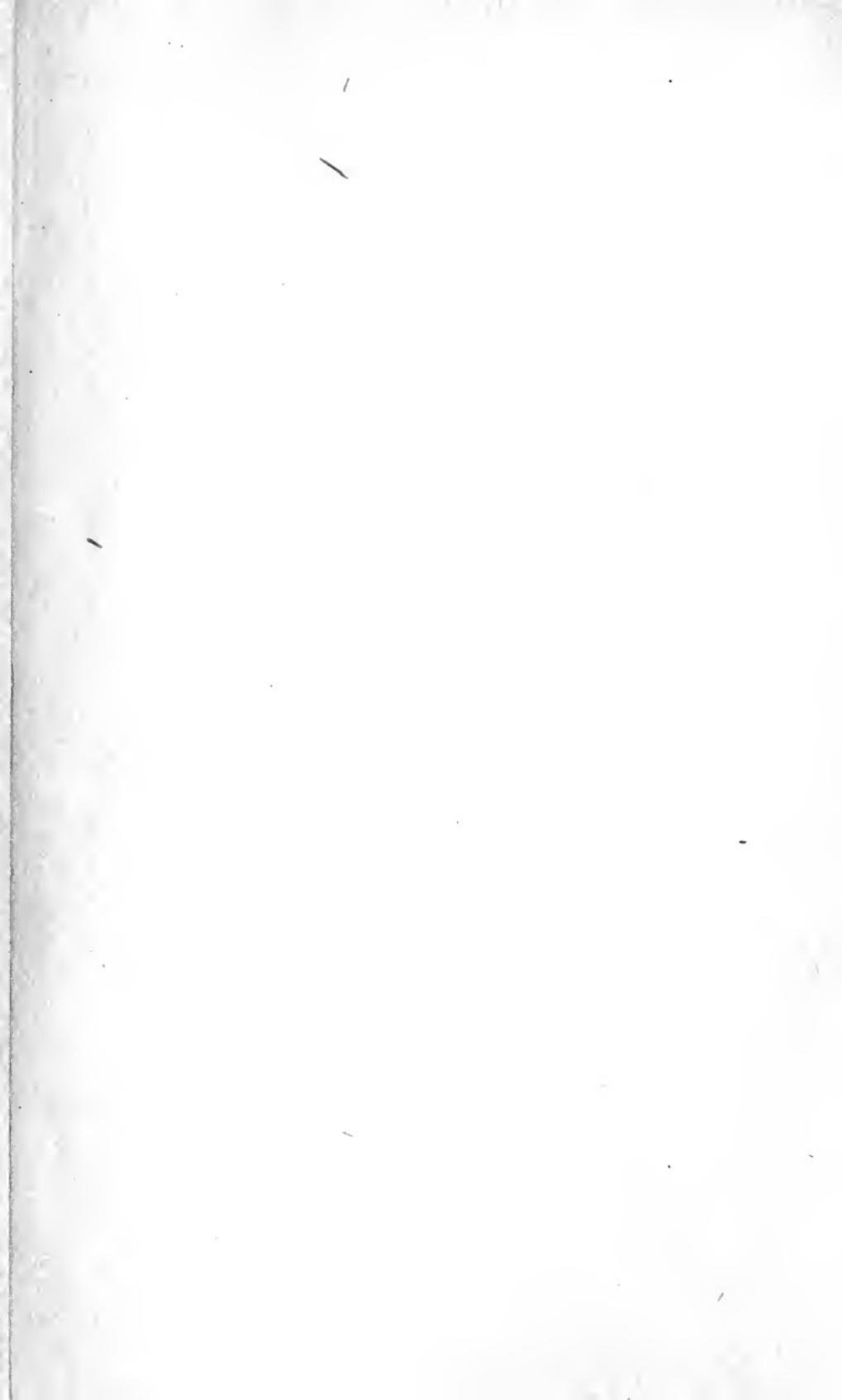
AMERICAN DEMOCRACY

BRIDGET T. HAYES





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DEAR LAND OF ALL MY LOVE

Long as thine art shall love true love,
Long as thy science truth shall know,
Long as thine eagle harms no dove,
Long as thy law by law shall grow,
Long as thy God is God above,
Thy brother every man below,
So long, dear land of all my love,
Thy name shall shine, thy fame shall glow.

From *The Centennial Ode (1876)* by Sidney Lanier.
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AMERICAN DEMOCRACY

ITS HISTORY AND PROBLEMS

BY

BRIDGET T. HAYES

East High School, Minneapolis, Minnesota



NEW YORK
HENRY HOLT AND COMPANY

JY274

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PRO PATRIA

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“Education, of the kind which is of any practical value in the government of a nation, means the teaching of human motives, of humanizing ideas, of some system whereby the majority of electors can distinguish the qualities of honesty and common-sense in the candidate they wish to elect. I do not pretend to say what that system may be, but I assert that no education which does not lead to that kind of knowledge is of any practical use to the voting majority of a constitutionally governed country.”—*F. M. Crawford.*

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Sketched by Harry V. Johnson.

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THE PURPOSE OF THIS BOOK

To help make patriotism vital and intelligent.

To quicken the desire for active citizenship, efficiency in government and good will.

To clarify ideas and ideals of democracy

by enlarging the view of the historical growth of government by the people,

by teaching the principle of democracy,

by clearly showing that the years that follow the Great War will be democracy's supreme test.

To promote an active desire for acquaintance with the present European situation and its relation to America and the world by constant study of periodicals, newspapers, maps and official pronouncements.

To make plain the numerous dangers that threaten the American ideal of government.

To make the United States a real democracy.

In a Word

To make intelligently active Americans.

In a government of the people, for the people, and by the people, the people must have clear ideas and ideals of the nature, history, and principles of democratic government that they may have the "will to succeed" in carrying out the governmental experiment.

Note:

The usefulness of this book to the student of American Democracy will depend entirely upon his definite

desire to make himself an intelligent, active American citizen.

When this purpose is fully determined upon, the student who necessarily already has many ideas about democratic government must prepare his mind for the reception of new material on the subject in order that he may relate what he learns to his previous experience. No knowledge is of value unless it can be organized with what is already known.

As a help in this process of getting ready, the student should make a careful preliminary examination of what he knows of the subjects taken up under the chapter headings. By so doing, he will be made conscious of his own power and of his own needs and, as a consequence, his thought will become more purposeful and definite.

As a basis for more thoughtful consideration in the making of the pre-view, summaries of the chapters have been placed at the beginning of the text. It is earnestly urged that every person who intends to use the book go over the summaries thoroughly before beginning the study of any topic. This will give a good idea of the field covered and will set up thinking on what is coming. When the student has gone over all the summaries, he should go back to the one of the first chapter and read it over, deliberating as he reads and recalling what he knows about each topic suggested.

Having cleared the ground in his mind by this preliminary survey of the knowledge he already possesses, the student will next proceed to study the chapter of which he has just made a pre-view.

After the chapter has been read, and at least some of the suggested reading has been done, the student should return to the chapter summary for the purpose of assur-

ing himself that what he has studied has become a permanent possession. The same process of pre-view and review should be continued in the study of each chapter.

When the book has been completed, the entire summary should be reviewed so that the student may see what progress he has made in the study of American Democracy. Such a careful and painstaking method is recommended in the study of any book but particularly in the study of a book which has the definite and purposeful aim of teaching American principles. The student can readily see that in a democratic form of government, more than in any other, conscious, *directing* public intelligence is necessary.

It is also earnestly recommended that students learn the quotations at the beginning of chapters; they may often serve as ready weapons in the hands of the intelligent American citizen whose knowledge of the history of democracy must reach far into the past and whose vision of the future should go beyond the confusion of the present.

B. T. H.

SUMMARIES

CHAPTER I

SURVIVALS OF THE EARLY ENGLISH USAGE IN THE UNITED STATES AT THE PRESENT TIME

The Moot Court	in The Town Meeting The Ward Meeting The District Meeting
The Folk Moot	in The City Council The State House of Representatives The National House of Representatives
The Witan	in The State Senate The United States Senate
The Curia Regis	in The President's Cabinet The Supreme Court
The Ealdorman	in The Alderman
The Shire-reeve	in The Sheriff
Trial by <u>Jury</u>	in The Grand Jury The Petit Jury
The Petition of Grievances	in Bills brought before Legislative bodies
Consent of Commons to Taxes	in The Right of Lower House to initiate money bills
Majority Rule Established 1429	— Still in force
Limitation of Suffrage 1425	— Removed in 1920
Responsibility of ministers	— Impeachment—Recall

PRIVILEGES OF MEMBERS OF PARLIAMENT

- Freedom of Speech
Freedom from Arrest

PRIVILEGES OF MEMBERS OF LEGISLATIVE BODIES

- Freedom of Speech
Freedom from Arrest

NAMES TO BE REMEMBERED

- King Alfred
King Edward the Confessor
~~Stephen Langton~~
Simon de Montfort
Edward I
John Grindecobbe
William Caxton

EVENTS TO BE REMEMBERED

- Death of Alfred—901
Norman Conquest—1066
Magna Charta—1215
First English Parliament—1265
Majority Rule Established—1429
Constitutional Gov't Established by the end of the 14th century

THE RISE OF THE COMMON PEOPLE

- The Peasant's Revolt—1381
Jack Cade's Rebellion—1450

- Serfdom in England ended by 1450

REFERENCES:

- A Short History of the English People—John Richard Green
Any other reliable History of England

CHAPTER II

THE TUDORS 1485-1603

Henry VII
Henry VIII
Edward VI
Mary
Elizabeth

THE STUARTS 1603-1688

James I
Charles I
(Commonwealth)
Charles II
James II

CONTRAST

All ruled despotically under constitutional forms. They disregarded the real desires of the people and established arbitrary institutions that were hard to break down

The people began to question the authority of their rulers and all the Stuarts had to struggle with Parliament for Supreme Control

ARBITRARY COURTS

Star Chamber Court
Court of High Commission

UNLAWFUL TAXES

Forced loans
Benevolence
Ship money (Under Charles I)

IMPORTANT EVENTS THAT HELPED TOWARD DEMOCRACY

1628	Petition of Right	— Confirmed Magna Charta
1688	Bill of Rights	— Established Parliamentary Control of King
1832	First Reform Bill	— Abolished Rotten and Pocket Boroughs and gave representatives to new cities
1867	Second Reform Bill	— Extended suffrage to male householders
1872	The Ballot Act	— Vote by ballot instead of by voice
1885	The Third Reform Bill	— Granted practically universal manhood suffrage
1911	The House of Lords lost veto power	
1918	The Fourth Reform Bill	— Granted suffrage to women

DEMANDS OF CHARTISTS—1848

Annual Parliaments	— 5 year parliament established—1911
Vote by ballot	— Granted—1872
Universal suffrage	— Granted—1918
Payment of Members of Commons	— Granted—1911
Abolishment of Property qualifications for Members of Commons	— Granted
Equal Electoral districts	— Granted

ADVANCED LEGISLATION IN ENGLAND

Municipal Ownership of Public Utilities	Graduated Taxes
Water	Unearned Increment Tax
Lighting	Old Age Pension
Local Transportation	National Insurance for Workers
	Insurance against Unemployment

REFERENCES:

- A Short History of the English People—John Richard Green
 History of Our Own Times—Justin McCarthy
 History of Modern Europe—Hayes, Hazen, Seignobos, Shapiro, West

SUMMARIES

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CHAPTER III

COLONIAL ASSEMBLIES IN AMERICA

The House of Burgesses—Virginia	The House of Representatives—Massachusetts
The General Court—New England Colonies	The House of Commons—South Carolina

GROWTH TOWARD DEMOCRACY HELPED

by representative assemblies in all colonies
by religious toleration in Maryland, Pennsylvania, Rhode Island, New York

MOVEMENTS TOWARD UNION

- 1643 The New England Confederation
- 1754 The Albany Congress
- 1765 The Stamp Act Congress
- 1774 The First Continental Congress
- 1775–1781 State Constitutions adopted
- 1775 The Second Continental Congress
- 1776 Declaration of Independence
- 1781 Cession of Western Lands to the United States
- 1787 The Constitutional Convention
- 1789 Ratification of Constitution
- 1789 United States under Constitution

STEPS IN PROGRESS TOWARD DEMOCRACY

- The General Usage of Colonial Assemblies
- The Introduction of Religious Toleration as a Principle in a Few Colonies
- The Removal of Religious and Property Qualifications in New States
 - Like action by Older States
- The Common People begin to hold Offices
- The Democratic Institutions of the West
- The Beginning of Labor Unions with Labor Programs
- The Growth of Education in Public and Private Schools
- The Emancipation of Negroes
- The Introduction of Referendum, Initiative, and Recall
- The Election of Senators by Popular Vote
- The Primary Elections
- The Introduction of "Responsibility" in Local Government
 - The City Manager Plan
 - The Commission Form of City Government
 - Home Rule Charters
- The Passage of Woman Suffrage

REFERENCES:

- Burke—On Conciliation with America
- James Otis—In Opposition to the Writs of Assistance
- Patrick Henry—Give Me Liberty or Give Me Death
- Benjamin Franklin's Examination before the House of Commons
- A. B. Hart's History by Contemporaries (4 volumes)

GENERAL REFERENCES:

- Histories of United States by Fiske, McMaster, Channing, Beard, Fite, West, or any other.

SUMMARIES

CHAPTER IV

MAIN PROVISIONS OF MAGNA CHARTA—1215

- | | |
|---|------------------------------------|
| Fair and Prompt Trial by Jury | Regulation of Trade |
| The Right of the Council to Impose Taxes | Removal of Unjust Tariffs |
| Uniform Weights and Measures | Beginning of the Profession of Law |
| Courts made more free | Equality of Freemen before Law |
| Ownership of Tools by Producers | Civil War made Legal |
| The King's being made subject to Barons was the beginning of Parliamentary Government | |
| The Publication of Magna Charta was the beginning of Open Treaties | |

FROM MAGNA CHARTA

"Justice shall not be sold or delayed or refused to any man."
 Note: "The Taxing Power is the Sovereign Power."

MAIN DIVISIONS OF THE DECLARATION OF INDEPENDENCE—1776

- | | |
|---------------------------------------|--|
| The Statement of Purpose | To Justify action of American Colonists |
| The Statement of Inalienable Rights | The Right of life, liberty, and the pursuit of happiness |
| The Great Doctrine of the Declaration | <i>"Governments derive their just powers from the Consent of the Governed"</i> |
| The Justification of Revolution | The right of the people to alter or abolish unjust government |
| The List of Grievances | |
| The Declaration of Independence | |

EMANCIPATION PROCLAMATION

An exercise of the War Power of the President of the United States

MINOR DOCUMENTS OF LIBERTY

- | | |
|--------------------------------|-------------------------------------|
| The Provisions of Oxford | The Charter of Rhode Island |
| The Mayflower Compact | Penn's Charter of Pennsylvania |
| The Virginia Charter | <i>The Constitution of Virginia</i> |
| The Toleration Act of Maryland | The Mecklenberg Resolutions |

PRINCIPLES OF JUST GOVERNMENT as set forth in Philadelphia, 1918

Just government comes from the consent of the Governed
 Inalienable right of any people to organize their own Government
 Kindred peoples should co-operate for common welfare
 A league of civilized nations of the world should enter into a common and binding agreement to secure justice and peace for all men

REFERENCES:

- Liberty Documents—Mabel Hill
 The Oration delivered July 4, 1918, by Woodrow Wilson

CHAPTER V

THE CONSTITUTIONAL CONVENTION

THE TWO PLANS

The New Jersey Plan—a revision of the Articles
 The Virginia Plan—an entirely new scheme of government

SPECIAL WORK BY INDIVIDUALS

Washington presided	Gouverneur Morris revised final
Franklin acted as peacemaker	draft
Madison kept secret Journal	Mason and Gerry aided by
Hamilton made issues plain	Franklin fought against aristocracy

SIGNERS

39 members signed (representing 12 states), 12 members had withdrawn
 Randolph, Mason, and Gerry refused to sign

NOTABLE ABSENCES

Jefferson—Minister to France	Samuel Adams
John Adams—Minister to England	Richard Henry Lee, and
John Jay—Secretary of Foreign Affairs	Patrick Henry disapproved of the Convention

MEN WHO HELPED SECURE RATIFICATION

Madison, Hamilton, and Jay in the Federalist Papers
 Madison and Marshall in Virginia Convention
 John Hancock and Samuel Adams in the Massachusetts Convention
 Hamilton in New York Convention

CHECKS AND BALANCES

Congress makes the Laws	— The President can veto laws
The President appoints Supreme Court	— The Supreme Court passed on laws
The President and Senate make treaties and appoint Ambassadors	— The Senate has charge of Impeachment of President

ORIGINAL PURPOSE OF SEPARATION OF POWERS

The English system of checks (now obsolete) to check autocracy of king The American system to check "turbulence" of the people

COMMON RESULTS OF OUR SYSTEM

To give public opinion time to grow for or against measures
 A deadlock between President and Congress
 Nullification of needed laws by Supreme Court

REFERENCES:

The Critical Period—John Fiske
 Shall Liberty or Empire be Sought—Patrick Henry, 1788
 On the Adoption of the Federal Constitution—Hamilton, 1788
 On the Federal Constitution—John Marshall, 1788
 Madison's Journal of the Constitution
 Confederation and Constitution—McLaughlin

SUMMARIES

CHAPTER VI

"We must study the government with a view to discovering its usefulness to the people."—John Fiske.

THE "BILL OF RIGHTS" OF THE CONSTITUTION

The First Ten Amendments

They forbid Congress to interfere with freedom of religion	They prohibit general warrants
of the press	excessive bail
of speech	cruel punishments
of petition	quartering of troops
	<i>They guarantee trial by jury</i>

They limit the federal government to powers enumerated in the Constitution

CHANGES BY AMENDMENTS

President and Vice president of one party, 1804
 Slavery abolished, 1865
 Negroes made citizens, 1870
 Election of Senate by Popular Vote, 1913
 Tax on incomes made legal, 1913
 Abolition of manufacture and sale of spirituous liquors, 1919
 Women given suffrage, 1920

CHANGES BY INTERPRETATION MADE POSSIBLE

The Louisiana Purchase, 1804
 The Establishment of a National Bank
 Internal Improvements such as the Cumberland Road
 The Regulation of Interstate Commerce as in the Pure Food Law

CHANGES BY PRACTICE

- 7 Popular Election of President
- National Political Conventions
- The President's Cabinet
- Increased power of the President

CHANGES BY NEW DEVICES

Primary Elections
 The Referendum
 The Recall
 The Initiative

"The Principle of the initiative and the referendum is democratic. It will not be opposed by any Democrat who indorses the Declaration of Jefferson that the people are capable of self-government; nor will it be opposed by any Republican who holds to Lincoln's idea that this should be a government of the people, by the people, and for the people."

—Bryan

Two best books by Foreigners on U. S. Government:

DeToqueville—Democracy in America—1835
 James Bryce—The American Commonwealth—1888

PROPOSED CHANGES

Proportional representation
 Compulsory Voting
 Introduction of Budget System
 Government ownership of Public Utilities and public resources
 Curtailing power of Supreme Court

FREE GOVERNMENT REPORTS

The Laws of the United States
 Farmer's Bulletins
 Political Economy
 Labor
 Education
 Animal Husbandry
 And numberless others

REFERENCES:

American Government—Magruder
 Contemporary American History—Beard
 The New American Government and its Work—J. T. Young

CHAPTER VII

POLITICAL PARTIES

"He serves his party best who serves his country best."—R. B. Hayes

PRINCIPLES OF DEMOCRATIC PARTY IN 1920

Low tariff for revenue only	Recognition of any "stable" government in Mexico
Greater popular control	Private ownership of Railroads without public subsidies
Against imperialism	For the Versailles League of Nations
Against compulsory arbitration of labor disputes in private industry	

PRINCIPLES OF REPUBLICAN PARTY IN 1920

High tariff for protection as well as revenue	A "Firm Hand" in Mexico
Narrower control of government	Private ownership of railroads and shipping
Imperialism	Against Versailles League of Nations without reservations
Compulsory courts for arbitration of labor disputes in public industry	
Note: in 1920, the platforms of both parties stated the issues in very general terms	

SOCIALIST PARTY 1920

Cancellation of all War Debts
Dissolution of League of Nations
Creation of Representative International Parliament
Universal Disarmament
Recognition of Russia and Ireland
Revision of Treaty of Peace
Foreign investment at risk of investor

FARMER LABOR PARTY 1920

Refusal of War with Mexico
Non exportation of weaker people
Recognition of Ireland and Russia
Independence of our foreign possessions
Abolition of secret treaties
Public ownership of all utilities and monopolies
Right of labor to share in industry

LABOR

Wendell Phillips said that the Emancipation of Labor would be the next step after the Emancipation of Slaves
Cleveland, the first president to do so, dealt with Labor in a special message in 1888
The Clayton Anti Trust Law passed in 1913 declared that labor was not a commodity, that labor unions were not trusts or combinations in restraint of trade. This has been called "Labor's Declaration of Independence."
The American Federation of Labor has followed a conservative policy favoring
Conservation
Municipal and Government Ownership of natural monopolies
Workingman's Insurance against accidents and illness and unemployment
The eight-hour day
The six-day week
Prohibition of child labor

CHAPTER VII (Continued)

THE TARIFF

The first tariff in 1781

One of Alexander Hamilton's great financial measures
to pay the national debt
to carry on the government
to encourage and protect manufactures

Tariffs have been high or low according to the party in power
Democrats have stood for low tariff
Republicans for high tariff

EDUCATION

A school house plant on every hill
Stretching in radiate nerve lines thence
The quick wires of intelligence.—Whittier.

FIRST AMERICAN COLLEGES

Harvard—1636	Columbia (King's College)—1754
William and Mary—1693	College of Rhode Island—1764
Yale—1701	(now Brown University)
Princeton—1746	University of Virginia—1819
Ursulines established first Woman's College—1728 (New Orleans)	

ARTICLE FOUR OF NORTHWEST ORDINANCE—1787

"Religion, morality, and knowledge being necessary to government and the happiness of mankind, schools and the means of education shall forever be encouraged."

FEDERAL AIDS TO EDUCATION

Morrill Act 1862

Provided endowments for higher education throughout the Union
1885 Agricultural experiment stations established
1917 Smith-Hughes Act

Provides aid in vocational education in higher knowledge

"The School is the one agency that may be controlled definitely, and consciously for the purpose of unifying the people."

REFERENCES:

- The Story of the Negro—Booker T. Washington
- Up from Slavery—Booker T. Washington
- The Expansion of the American People—E. E. Sparks
- Winning the West—Roosevelt
- The Oregon Trail—Parkman
- Contemporary American History—C. A. Beard
- The Making of a Nation—Francis Walker
- Industrial History of the United States—Coman.
- The Frontier in American History—F. J. Turner.
- Public Education in the United States—Cubberly.

SUMMARIES

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CHAPTER VIII

THESE MEN LAID MOULDING HANDS ON THE UNITED STATES OF AMERICA

GEORGE WASHINGTON

Military Leader **First President**
**President of Constitutional Conven-
tion** **Initiated our government and our
foreign policy**

BENJAMIN FRANKLIN

ALEXANDER HAMILTON

Established United States Financial System and thereby made possible the survival of our government during a critical period

THOMAS JEFFERSON

His epitaph (written by himself)

Author of the Declaration of Independence and of the Statute of Religious Freedom for Virginia and Founder of the University of Virginia

JAMES MADISON

Author of Compromise that made ours a new species of government partly Federal, partly National

JOHN MARSHALL

Expounder of the Constitution International Lawyer

JAMES MONROE

Promulgated Monroe Doctrine which removed the New World from European Influence

JOHN QUINCY ADAMS

A Great Secretary of State
Kept the United States free to conduct affairs in her own way

Fought to preserve the right to petition for redress of grievances
Defined War Powers of President

ANDREW JACKSON

Brought government closer to people

Helped to preserve Union

HENRY CLAY

Initiated our friendly policy toward South American Republics Kept unification by Compromises Father of Internal Improvement

DANIEL WEBSTER

By Gift of Eloquence created sentiment in favor of the Union

ABRAHAM LINCOLN

Freed the slaves and saved the Union

OTHER MEN THAT HELPED

**John Adams
John Dickinson
Peyton Randolph
Dr. Joseph Warren**

Robert Morris
Patrick Henry
Charles Pinckney
John Jay

Dabney Carr
Samuel Adams
Roger Sherman
John Rutledge

SUMMARIES

CHAPTER VIII (Continued)

REFERENCES:

- The biographies of these men.
 Their own accounts in autobiographies, diaries, and letters.
 Washington—On His Appointment as Commander-in-Chief—1775
 Farewell Address—1796
 Hamilton and Madison—Federalist Papers
 Jefferson—A Summary View of the Writers of America—1777?
 First Inaugural—1801
 Jackson—Second Inaugural Farewell Address
 Clay—On His Own Compromise Measures (1850)
 Webster—First Bunker Hill Oration 1825
 Reply to Hayné 1830
 The Seventh of March Speech on The Clay Compromise 1850
 Lincoln—The House Divided Against Itself (1858)
 The First Debate with Douglas (1858)
 The First Inaugural (1861)
 The Second Inaugural (1865)
 The Great Statesmen Series
 The Great Epochs of American History (10 vols.)
 The World's Famous Orations—(10 vols.)
 The Men Who Made the Nation—E. E. Sparks.

CHAPTER IX

"As an account of the bold spirits engaged in desperate adventures, of the planting of the civilization in the wilderness, of the growth of free government, the sources of American history are a contribution to the World's Literature."—A. B. Hart.

BOOKS NOT MENTIONED IN TEXT

- | | |
|---|--|
| Dr. Sevier—George Cable | The Conqueror—Gertrude Atherton |
| The Cavalier—George Cable | The Honorable Peter Sterling— |
| Hugh Wynne—S. Wier Mitchell | Paul Leicester Ford |
| Tho Crisis—Winston Churchill | A Gentleman from Indiana— |
| Mrs. Crewe's Career—Winston Churchill | Booth Tarkington |
| Prisoners of Hope—Mary Johnstone | Ramona—Helen Hunt Jackson |
| Cease Firing—Mary Johnstone | The Octopus—Frank Norris |
| Life on the Mississippi—Mark Twain | The Spy—Cooper |
| A Son of the Middle Border—Hamlin Garland | John Woolman's Journal |
| | The Story of a Country Town—E. W. Howe |
| | The Scarlet Letter—Hawthorne |
| | The Rise of Silas Lapham—Howells |

POEMS OF FAITH AND COURAGE

- | | |
|--|--------------------------------------|
| The Chambered Nautilus—Holmes | The Eternal Goodness—Whittier |
| The Ladder of St. Augustine—Longfellow | Thanatopsis—Bryant |
| The Builders—Longfellow | To a Waterfowl—Bryant |
| The Vision of Sir Launfal—Lowell | The Song of the Chattahoochee—Lanier |
| The Present Crisis—Lowell | El Dorado—Poe |
| The Vanishers—Whittier | Gloucester Moors—Moody |

CHAPTER X

DEVELOPMENT OF DEMOCRACY IN FRANCE

- No local activity politically
 1614—Last meeting of Estates-General for 175 years
 1643 to 1715—Autocracy established under Louis XIV—Taxes and duties imposed by king and council
 1715 to 1774—Louis XV reign left France bankrupt
 1789 Louis XVI summons Estates General
 1789 to 1795 The French Revolution—Permanent reforms made in the first year followed by complete social and political upheaval. The land went to the people
 1795 to 1814 Napoleon Bonaparte, an autocrat, established equality before the law
 1814 The Bourbons restored
 1830 Revolution—Constitutional monarchy
 1848 Revolution—Republic established
 1852 The Second Empire established
 1870 The Third Republic (which continues to-day) established

IN ENGLAND TO-DAY

The land is held by a few people
 The national debt is owed to great financiers
 The people are actively democratic and restless
 The Labor Party in England is working on an advanced and reasonable program of democratic reforms which tend toward more active participation in local and national industry and government

IN FRANCE TO-DAY

The land is in small holdings
 In France the national debt held by the people in small bonds
 The rural people are passive and industrious
 The French Republic is highly centralized. In the 88 departments, the policemen, postmen, and all local officers are appointed by central government which may dissolve the elected council and order a new election

In both countries the foreign policy is in the hands of a small group of governmental officials who are not controlled by the people in any significant degree

Compare slow painful progress of England toward democracy with the more spasmodic progress in France. Yet in some ways the condition of the French people is better than the condition of the English people.

THE ENGLISH CONSTITUTION

England has never had a written constitution, PRECEDENT being her only guide. The latest law passed supercedes all other laws

FRENCH CONSTITUTIONS

France has had eleven constitutions since 1791
 The present one, made in 1870, makes no mention of sovereignty of the people, an annual budget, nor a national judiciary

REFERENCES:

- The French Revolution—Matthews
 The French Revolution—Belloc
 The France of To-Day—Wendell

CHAPTER XI

CONDITIONS THAT HINDERED GERMAN UNITY

Great number of "sovereign" states or units—1800 at one time.
 "Particularism"—The German term for State Rights
 The Holy Roman Empire—a loose league of states each jealous of its
 "sovereignty"

FORCES TENDING TO UNION

Napoleon's harsh measures created a national spirit
 The Confederation of the Rhine
 The Germanic Confederation
 The influence of the Universities toward a liberal union
 The Frankfort Convention 1848

THE FORCES THAT MADE GERMANY MILITARISTIC

The rise of Prussia by means of the Army
 Reaction after failure of Frankfort Convention
 The Promulgation of the Prussian Constitution
 The Appointment of Bismarck as Chancellor
 His never-forgotten aim,
 To unite Germany by means of the Prussian Army

THE STEPS TAKEN BY BISMARCK

"Defensive" Wars	The Ems Dispatch
Elimination of Austria	The Franco Prussian War
The North German Federation	The South German States come in
Its Constitution Ratified by Princes	The German Empire founded 1871

EXPRESSIONS OF AUTOCRACY

James I of England—The Divine Right of Kings
 Louis XIV of France—I am the State
 William II of Germany—The Will of the King is the Supreme Law

Contrast with these the following:
 Edward I—What concerns all must be approved by all
 Declaration of Independence—Governments derive their just powers
 from the consent of the governed

REFERENCES:

Imperial Germany—Von Bülow
 Modern Europe—Hayes
 Modern Europe—Hazen
 Reminiscences of Carl Schurz
 The Making of Modern Germany—Schevill

CHAPTER XII

WORDS AND PHRASES MUCH USED BY SOCIALISTS

The Materialistic Conception of History or Economic Determinism	
Surplus value	The Bourgeoisie
Direct action	The Capitalistic Class
Wage slavery	The Workers
The Proletariat	The Dictatorship of the Proletariat
Russia is an example of the "Dictatorship of the Proletariat." The real "dictators" consist of a small minority who have seized control and expect to hold it indefinitely.	

MARXIAN DOCTRINES

All wealth comes from labor
The Church is and has always been a bulwark of the ruling power
Marriage enslaves women
The family is an institution of slavery
The children are the wards of the state

THE MATERIALISTIC CONCEPTION OF HISTORY

Denies the Influence of

Socrates	Jesus Christ
Plato	Christianity
Greek Art and Literature	The Crusades
The Hebrew Idea of God	The Renaissance
The Ten Commandments	The Reformation

EXTREME SOCIALISTS
advocate

A Class War
The Revolution by Force
Sabotage

MODERATE SOCIALISTS
advocate

Education of masses in Revolutionary Doctrine
Political measures—Gradual reform

A REFORMER NOT NECESSARILY A SOCIALIST

One may believe in

The Nationalization of Railroads	Municipal Ownership
Mines	The Referendum
Natural Monopolies	The Initiative
The Closed Shop	The Recall
The Minimum Wage	Graduated Tax on Incomes and Excess Profits
Workman's Insurance	Disarmament of all nations
The Democratization of Industry	The Brotherhood of all men and many other political and economic changes

And yet not be a Socialist, an Anarchist, an I. W. W. or a Bolshevik

"There are no political panaceas except in the imagination of political quacks. To each degree and each variety of public development there are corresponding institutions, best answering the public needs; and what is meat to one is poison to another. Freedom is for those who are fit for it. The rest will lose it or turn it to corruption. . . ."—Francis Parkman

REFERENCES:

The Elements of Socialism—John Spargo.	Modern Europe—Hayes
	Modern Europe—Hazen

SUMMARIES

CHAPTER XIII

WAR NOT NECESSARY

The Scandinavian countries have given an example of the possibility of the peaceful settlement of political difficulties in a sane and orderly way. In September, 1905, Norway and Sweden because of the desire of the majority of the people of both countries arranged a peaceful separation.

A SUCCESSFUL DEMOCRACY

Switzerland has on the whole made the most successful democratic experiment in all lines political, economic, social and educational. Two-thirds of her people are Germans, the other third French and Italians. All three languages are official. Yet no race feeling is in evidence.

SORE SPOTS IN EUROPE CAUSED BY FORCING PEOPLES TO BE SUBJECT TO AN ALIEN GOVERNMENT

In Germany	In Russia	In Great Britain and Ireland
•Alsace-Lorraine	Finland	Ireland
Poland	Poland	
Schleswig-Holstein	In Turkey	
In Austria	Bulgaria	
Bohemia	Serbia	
Bosnia	Roumania	
Hertzegovina	Greece	

The Versailles Treaty has made many arrangements that are more than likely to develop into sore spots

"No man is good enough to govern another man without the other's consent."—Abraham Lincoln

COST OF THE GREAT WAR

Nine million lives; Two hundred billion dollars
 Machinery for producing wealth destroyed
 Moral and intellectual loss impossible to estimate
 Horrible condition of Europe morally, socially, economically

GREAT BRITAIN'S WAR DEBT

The interest alone five billion dollars a year

THE UNITED STATES' LOSS

Slight in comparison to Europe's loss but costly to individuals
 Eighty thousand dead
 Two hundred forty thousand wounded and horribly maimed
 Twenty-five billion dollars war debt
 General unrest and lack of morale

REFERENCES:

- The Roots of the War—Davis
- A Short History of the World War—Hayes
- Germany's Point of View—Von Mack
- Now It Can Be Told—Philip Gibbs

CHAPTER XIV

FOREIGN POLICY OF THE UNITED STATES

International law differs from other law in that there is no machinery for enforcing it but it depends upon the moral sentiment of the civilized world.

The Covenant of the League of Nations attempts to set up the machinery for an international body that will have authority to enforce its measures and decisions.

A generally accepted principle of International Law is that a nation has right to decide its own form of government.

Washington's instructions to Minister John Jay: "It is the President's wish that the characteristics of an American minister should be marked on the one hand by a firmness against improper compliances, and on the other by sincerity, candor, truth, and prudence, and by a horror of finesse and chicane."

Jefferson said: "We have a perfect horror of anything like connecting ourselves with the politics of Europe."

MAIN POINTS OF OUR FOREIGN POLICY

The Open Door	Neutrality	Arbitration
The Monroe Doctrine	Freedom of the Seas	
	Encouragement of Republican Government Abroad	
	Acknowledgment of De Facto Governments	

(Item from Associated Press July 14, 1920)

QUIET REVOLT IN BOLIVIA!

NEW PRESIDENT TAKES SEAT!

"The revolution in Bolivia, according to a dispatch to the *Nacion* from LaPaz, took place quietly, with the aid of the army. The deposed president, Guerra, took refuge in the United States legation, the message stated. Provisional President Savedera has notified the diplomatic corps of his assumption of power."

If the new government is successful in maintaining itself, that is if it becomes a "de facto" government, the United States will acknowledge it.

As a result of the Great War the United States has been compelled or will be compelled to face many issues that involve the other nations of the world. Among these are the following:

Japanese immigration	The Case of Armenia
Mandates and the Open Door	Recognition of Russia and Ireland
Control of Cables	Commercial Relations with Russia
Access to Petroleum of the World	A definite International Policy

Find the meaning of the following expressions:

- "The Constitution Does not Follow the Flag"
- "The Doctrine of the Continuous Voyage."

REFERENCES:

- Washington's Farewell Address
- Clay—On the Emancipation of South America, 1818
- Bryant—His Welcome to Kossuth, 1851
- The Monroe Doctrine—A. B. Hart

SUMMARIES**CHAPTER XV****THE CITIZEN OWES ALLEGIANCE**

To the United States
To his own State.

THE FEDERAL GOVERNMENT CONTROLS

Naturalization	The trial of Individuals
Relations of Individuals to other states	for Sedition and Treason
Relations of Individuals to Foreign Countries	Counterfeiting
Quality of Food and Medicine sold to Individuals	Misusing Mails
	IN TIME OF WAR
	The Federal Government controls the Individual Citizen

THE STATE CONTROLS

All family relations	Education
Marriage and Divorce	Property and industrial conditions
Custody of children	Suffrage (until 1920)
Inheritance	Criminal law

CIVIL RIGHTS

Personal Security	Personal Liberty
Fire and Police Protection	Freedom of religious worship 2
Protection from accidents	of speech 2 and of assembly 2
Freedom from necessity of testifying against one's self 1	Right to petition for redress of grievances
from the quartering of troops 1	to proper treatment by police
Property Rights	to indictment before grand jury courts 1
To possess property	to trial by jury 1
To compensation for property 1	to a writ of habeas corpus 1
To due process of law in being dispossessed of property 1	to a reasonable bail or fine 1
To freedom from unreasonable restrictions on use of property 1	to equal treatment before the law 1
1 Guaranteed by Federal Constitution	2 Not guaranteed

POLITICAL RIGHTS

To vote	To hold office
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RIGHTS BEGINNING TO BE RECOGNIZED BY LAW

Rights of children	Rights of Workers
To a home	To a share of excess profits
To an education	To a minimum wage
To separate courts	To form labor unions
To separate places of correction	To better conditions of labor
To develop individual talents	To a reasonable period of labor

RIGHTS OF GENERAL PUBLIC

To protection from swindling stock sellers	To protection from strikes and lock-outs
To protection from profiteers	To efficient transportation systems

REFERENCES:

- American Citizenship—C. A. Beard
- Uncle Sam's Modern Miracles—Du Puy
- The Strenuous Life—Theodore Roosevelt.

CHAPTER XVI

"There is no method of making democracy by machinery. The *General Will* will prevail. The laws are usually below the level of the general will."

MAIN PRINCIPLES OF THE AMERICAN IDEAL

Liberty of the Individual
Consideration of the Common Good

AMERICAN IDEALS

Belief in

God	The Sanctity of Home
The Dignity of Man	The Compulsion of Duty
The Sacredness of Life	The Force of Conscience
The Inviolability of Marriage	The Binding Power of a Promise
These ideals translated into Government insure to individuals	They make the bases for our Foreign Policy
Civil Rights	Arbitration
Property Rights	The Monroe Doctrine
Political Rights	The Open Door
"Due Process of Law"	Friendliness to other nations

AMERICAN PRINCIPLES AND POLICIES

No private alliances	No unjust commercial barriers
Government by consent	Reduction of armaments
Openness of treaties	Freedom of the seas

CONDITIONS CALLING FOR RE-ADJUSTMENT

Economic Injustice

Authentic statistics inform us that sixty-five per cent. of our people must be classed as poor, and that they become objects of charity through prolonged illness or other adverse causes; fifteen per cent. are only fairly comfortable; eighteen per cent. are entirely comfortable; and two per cent. of our people hold three-fifths of our wealth.

FROM THE BILL OF RIGHTS OF THE VIRGINIA CONSTITUTION

Section XV—That no free government, or the blessing of liberty, can be preserved by any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.—Written by George Mason

REFERENCES:

- American Ideals—Theodore Roosevelt
- The New Freedom—Woodrow Wilson
- Modern Democracies—Bryce
- Sovereignty and Consent—Macksey
- The Real Business of Living—Tufts.
- A World to Mend—Margaret Sherwood.

LIST OF BOOKS

	For Chapters
A Short History of the English People—John Richard Green	1-2
History of England—L. M. Larson	1-2-10-11-12-13
Source Book of English History—H. Holt and Co.	1-2
Liberty Documents—Mabel Hill	4
History of the United States—Fiske, Cheyney, McMaster, Bancroft, West, Hart, Beard, Fite	3-4-5-6-7-14
The Expansion of the American People—E. E. Sparks..	6-7
The Men Who Made the Nation—E. E. Sparks	8
Contemporary American History—C. A. Beard.....	6-7-14
The American Revolution—Fiske	5
The Critical Period—Fiske	5
American History as Told by Contemporaries—(4 vols.)	
A. B. Hart	
The Monroe Doctrine—A. B. Hart	14
The Beginnings of New England—Fiske	3
Old Virginia—Fiske	3
The Making of a Nation—Francis Walker	3-5-6
Confederation and Constitution—McLaughlin	3-6-7
Preliminaries of a Revolution—Howard	3
Our First Century—Eggleston	3-6-7
Struggle For a Continent—Parkman	3-6-7
Building of Our Country—Southworth	3-5 to 7-
Winning the West—Roosevelt	7
Provincial America—Green	3
European Background of American History—Cheyney. .	3
The Oregon Trail—Parkman	7
Side Lights on American History—Elson	3-5-6-7
The Soul of the Black Man—DuBois	7
The New American Government and Its Work—James T. Young	3-6-15
American Government and Politics—Beard	3-6-15
The American Government—F. J. Haskins	3-6-15
American Citizenship—Beard	15
American Government—F. A. Magruder	6-15
National Development—E. E. Sparks	3-6-7-14
The American Commonwealth—Bryce	6
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Democracy in America—de Toqueville	6
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Life of Lincoln—Helen Nicolay	8
John Nicolay	8
Norman Hapgood	8
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Roger Williams—O. S. Straus	
Life of George Mason—Kate Mason Rowland	3-6

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	For Chapters
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Samuel Adams—Hosmer	3
Thomas Benton—Roosevelt	8
George Washington—Woodrow Wilson	3-5-6-14
John Hay—Thayer	14
The Life of John Marshall—Albert J. Beveridge	6
American Literature—Katherine Lee Bates	9
A General Survey of American Literature—Mary Fisher	9
American Literature—Pancoast	9
A History of American Literature—Moses Coit Tyler	9
Literary History of the American Revolution—M. C. Tyler	9
Personal Narrative of Political Experiences—R. M. La Follette	3-6-7-15-16
Fifty Years of My Life—Theodore Roosevelt	7-15-16
The Course of American History—W. Wilson	9
Sovereignty and Consent—Macksey	16
Brand Whitlock—Fifty Years of It	15-16-17
The Story of the Negro—Booker T. Washington	7
Up From Slavery—Booker T. Washington	7
The Journal of William Maclay	6-7
Life on the Mississippi—S. L. Clemens (Mark Twain)	7
Reminiscences of Carl Schurz	11
"Marse Henry"—By Henry Watterson	6-7-15-16
The Eve of the French Revolution—Lowell	10
The French Revolution—Shailler Matthews	10
The French Revolution—Belloc	10
The France of To-day—Wendell	10
The Making of Modern Germany—Schevill	11
Imperial Germany—Von Bülow	11
The Development of Modern Europe—Robinson and Beard	10-11-12-13
Europe since 1815—C. D. Hazen	10-11-12-13
Modern Europe—C. D. Hazen	10-11-12-13
Social Progress in Contemporary Europe—F. A. Ogg	10-11-12-13
Modern Progress—W. M. West	10-11-12-13
The Governments of Europe—Ogg	
The Social Interpretation of History—A Refutation of Marx's Theory—Maurice Williams	12
The Roots of the War—Davis	13
A Short History of the World War—C. J. H. Hayes	13
A Political and Social History of Europe—C. J. H. Hayes	
	10-11-12-13-17
Germany's Point of View—Von Mach	13
Now It Can Be Told—Sir Philip Gibbs	13
A French Woman's Notes on the War	13
A Hilltop on the Marne—Mildred Aldrich	13
A Little History of the Great War—Vast	13
American Ideals—Theodore Roosevelt	16
The Strenuous Life—Theodore Roosevelt	16-17
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The Republic—Plato	16
The Real Business of Living—Tufts	16-17
A World to Mend—Margaret Sherwood	16-17
The New Freedom—Woodrow Wilson	15-16-17

AMERICAN DEMOCRACY



INTRODUCTORY CHAPTER

The United States of America, together with the other nations of the world, has recently been through the terrific experience of the Great War. But though the actual fighting is over, the world finds that peace has not come. Even in our own country there is much unrest and lack of harmony. All thinking men are looking for a way to reach a satisfactory settlement of national questions that our people may assist "by example, by sober friendly counsel, and by material aid in the establishment of a just Democracy throughout the world."

The United States finds herself confronted by this great task, which she realizes she must undertake with courage and calmness. She has come to see clearly that the American government is a great experiment that has not yet been fully worked out. She finds that in her own country as in the rest of the world, there is fundamental divergence of opinion as to the correct underlying principles of government and economics. A flood of revolutionary doctrine that urges the complete overthrow of existing institutions has become current in the United States as well as in Europe. The necessity for such an upheaval is not evident, for while the vast majority of people in this country see great injustices and imperfections in our economic system, they believe that conditions can be remedied by orderly constitutional methods without resorting to force.

In order that the people of the United States may be able to contend with the revolutionary forces which are making themselves felt, and more particularly, in order that they may set afoot remedies for existing injustices, it is necessary that they become keenly alive to the issues involved, thoroughly intelligent as to the fundamental principles of government, and ardently active in bringing about needed reforms which alone will prove the sincerity of their desire for a better state of things. This will require a steadfast devotion to the principles of American government and entail a definite and sustained intellectual effort, not by a few people, but by a majority of the people of this Republic.

In such a campaign of education, the schools are bound to play a conspicuous part, as the hope of the American experiment lies in the schools of America. Revolutionary theorists recognize the importance of the schools in forwarding their propaganda, and have established schools of social science to train their workers—"Sunday schools" for young people who in their daily lives will come in contact with others and sow the seeds of revolution. They have their writers, their publishers, their "modern" book stores. They aim, moreover, to get possession of the public schools.

Against this revolutionary movement certain reactionary forces would like to use stern measures. There is much talk about "stamping out" the revolution, and of cleansing the public schools of radical teachers. This method of settling the unrest is not effective. Repression and persecution will not avail to eradicate revolutionary doctrine. It must be met by a counter-revolution which uses ideas and ideals for its strong weapons. These weapons must be put into the hands of our youth, for while all Americans should receive

training in the army of citizenship, the most effective and far-reaching work can be done in the schools.

In the past, the schools of the United States have not directly taught citizenship, although they have taught it indirectly and have created a fine spirit of loyalty to the nation. Now they must go farther and teach young Americans to know the reasons for the faith that is in them. Patriotism can best be taught, not by pledging allegiance to the flag, but by knowing what the flag stands for, and by living up to the principles that allegiance to the flag includes.

Among the first requisites for intelligent American citizenship is a fairly clear understanding of the history and sources of the government of the United States. These sources lie far back in the past and must be traced in a simple way from Saxon England through the Norman, the Tudor, and the Stuart periods, through the Colonial beginnings of the United States,



IN THE DAYS WHEN THE KING WAS THE DISPENSER OF JUSTICE:

“To no one will we sell, to no one will we refuse or delay right or justice.”—*Section 40, Magna Charta.*

and from the Declaration of Independence and the making of the Constitution to the present time. In this survey, the American will see how slowly and painfully has grown the practice of government based on the principle that "governments derive their just powers from the consent of the governed." He will need this background of information to help him decide whether, in his desire to make things better, he is will-



THE COMMITTEE ON THE DECLARATION OF INDEPENDENCE

Thomas Jefferson

John Adams

Robert Livingston

Benjamin Franklin

Roger Sherman

*From Sparks' Men who Made the Nation, courtesy
of The Macmillan Company*

ing to risk a complete overturning of social, political, and economic relations.

Besides a knowledge of the historical sources of the American government, a familiarity with the narrative of the making of the Constitution is necessary, that the future citizen may understand to how great an extent the framing of the fundamental law of our government was the arduous work of hard-headed, practical, but essentially patriotic citizens, and not a thing inspired and struck off in one great moment. He will find that the record of the Constitutional Convention of 1787 is the story of a tense and vital struggle that was waged for four long months behind closed doors at Philadelphia. He will learn that after the Constitution had been given out for the approval of the states, the struggle for its adoption was no less keen than that in the Convention.

Having become familiar with the narrative of the making of the Constitution, the student of American Democracy will study carefully the provisions of the Constitution and inform himself as to what they were intended to accomplish, that he may set himself to judge whether or not those ends have been attained. He will not be satisfied with a mere study of the provisions of the Constitution, but he will go further and find that in some particulars the Constitution has worked out in a different way than the framers intended that it should. He will learn that the plans so carefully laid had to be altered in several respects almost as soon as the government had been set up. Finally he will look at the government and seek to find out how it operates at the present time and what its present tendencies are.

That he may better understand the governmental in-

stitutions and practices of his own nation, the American will familiarize himself with the present-day governments of other countries, and compare and contrast them with those of the United States. For this purpose the American will study the present British government that he may justify or disprove the statement often made that the English government is more democratic than that of the United States. In order to contrast the slow and sure growth of American governmental institutions with more violent revolutionary methods of change, it will be necessary to know something about the French Revolution and its influence in helping and hindering the growth of democratic government. It is said that the Great War was caused by a conflict of ideals; that the United States entered it because the democratic ideal was in grave peril from the autocracy of Germany. Therefore the government of Germany must be studied. Revolutionary theories and schemes for making over society must also be studied that their danger to the American ideal may be made evident.

In these days when there is much talk of "scraps of paper" and the sacredness of treaties, the clear-minded American will wish to know for himself the provisions of the great documents of liberty which are commonly referred to — Magna Charta, the Petition of Right, The Declaration of Independence, the Constitution of the United States, and the Emancipation Proclamation. A readiness in the reading and digesting of the contents of documents has become necessary to intelligent people the world over. No one need try to understand present world affairs unless he is willing to read thoughtfully and carefully the frequent official pro-

nouncements of European diplomats as well as those of the President of the United States and the other leaders in our national politics.

When the American has grounded himself in the history of the growth of his own government, when he has the different kinds of government clearly in mind, he will be ready to study the causes of the Great War. This will require a brief survey of European history since the Franco-Prussian War, a study of the great alliances—the Triple Alliance and the Triple Entente—and an understanding of the situation that held in the Austro-Hungarian Empire and the Balkan Peninsula up to 1914. In order to understand the neutrality of the United States during the first years of the Great War, it will be necessary to have clear ideas in regard to the foreign policy of the United States prior to 1917; in other words to know what is meant by the "Monroe Doctrine," the "freedom of the seas," "international arbitration," and the "open door."

All of this study should help to make clear the rights, the privileges, and the duties of the individual citizen of the United States. That these ideas and ideals may be made plain is the main purpose of the study of the government of the United States, since the success of the American experiment depends on the intelligence and good will of the majority of the people.

Having gone carefully over all this mapped-out ground, the American should draw up for himself a declaration of faith; in other words, he should put into plain language the ideals that underlie the government of the United States and should then see for himself how those ideals apply to actual cases, noting where they have worked out and where they have failed.

When all of these things are fairly well in mind, the American is ready to ask himself exactly what may be his patriotic duty in the present crisis. He will find that to be an American citizen is no "short course," but rather a serious business in the conduct of which he must never go to sleep. The following book may be considered a primer for the citizen of the United States, containing but the rudiments of knowledge which it will take a long and actively intelligent life time to amplify.



"The great trust now descends to new hands."—*Webster.*

CHAPTER I

AMERICA'S GOVERNMENTAL INHERITANCE FROM SAXON AND MEDIEVAL ENGLAND

Freedom, the old poet says, is a noble thing; it is also a very ancient thing.

Freeman.

It is hard for an American to realize that there ever was a time when people of enterprise and perseverance, even though humbly born, were not allowed individual freedom and an opportunity for advancement. In all personal matters the American Youth pleases himself; in affairs where others than himself are concerned, he becomes a part of an organization conducted under majority rule. The young American grows to manhood functioning as a part of a body of individuals in the political organization of his town, his state, his nation. To meet, to discuss, to vote, to submit to the rule of the majority are the recognized and natural methods of carrying on the business of the club, the society, the city, the state, and the nation.

In fact, the American people are so accustomed to the American method of carrying on affairs in which a number of people are concerned that they think very little about how it happened that *the majority* came to decide upon matters that are put to vote. Those who make up the minority accept the decision without question, waiting for another day to get their measures carried through, if at all. Yet the obscure beginnings of government by the people lie farther back in our

history than does the principle of majority rule which is the common method of procedure in all governments directed by the people.



H. Thornycroft, R. A. Sculptor

ALFRED, ENGLAND'S GREATEST KING

SAXON ENGLAND

At an early date a rude form of government by the people came into being in the European lands where the power of the Roman Empire had decayed. Certain features were common to all—the meeting of armed men

to decide public affairs, money compensation for injuries, the grouping of people into "hundreds," the great council to aid the king in governing appeared alike among the Iberians in Spain, the Franks in Gaul, the Germans beyond the Rhine, the Anglo-Saxons in England, as well as in the strictly Roman populations.

As our governmental forms have been inherited from England, the growth of self-government in that country is of direct interest to Americans. England, the western outpost of the Roman Empire, was invaded and partially settled after 449 by Angles, Saxons, and Jutes, Germanic tribes from the Baltic sea-board. Little is known of these early settlements as there was no record kept until Augustine brought Christianity to eastern England in 597. How much of the early British civilization was purely Saxon, how much it was affected by the laws, the customs, and the government of the Roman Empire and by the order and cohesive force of the Church need not concern us here. The general condition that prevailed is our chief basis of interest.

According to the Anglo-Saxon records, the dwellers in England lived in villages and were divided socially into three classes—nobles, freemen, and slaves. Each village held its own meeting or "moot-court," where periodically the older freemen and nobles sat down in one place under a great tree or on a convenient hilltop to take counsel. Here disputes were settled, fines were laid upon those guilty of trespass on another's property, or injury to another's person, matters of common interest were discussed and persons named to execute decisions. If two freemen quarreled over a horse or an ox, the matter was settled in the moot court; if one free-man hacked off another's arm, that also went to the moot court; if certain members of the tribe advocated

moving to another part of the country, a final decision on the question was reached by the same grave and dignified body.

Thus the moot court had what we commonly call *legislative*, *executive*, and *judicial* functions; that is it made laws, carried them out, and passed judgments.

- However, there was no idea of vote-taking in the moot court. Things were talked over and agreed upon by mutual assent.

For the entire tribe there was a larger assembly called the "folk moot," to which delegates went from the moot courts of the villages. The delegates, usually called "ealdermen," were not formally elected; they were the chief men of the villages and sat in at the folk moot by common consent. Any freeman was welcome to attend these meetings. These self-appointed delegates did not in any sense represent the people, but were guided by what they themselves judged best rather than by what the people wished. Gathered at the folk moot were the chiefs of the tribes and the oldest and wisest men of the clans.

As time went on the general gatherings became more regular and more dignified. Soon, too, the meetings began to develop a more or less set form of procedure, especially after churchmen became regular attendants. A folk-moot must have presented a remarkable scene. Besides the mitered bishops, there were present long-bearded nobles clad in rich garments and decked out in barbaric ornaments, arm-bands and chains made of rings of gold. Presiding over all was the chief, or king of all the tribes, the most splendidly dressed and dignified man present. In this great assembly, matters of utmost importance were discussed, such as the election of a king, or a decision to make war on another tribe.

Though the king was usually a member of the royal family, he was not secure in his office until he had been confirmed by the acclamations of the folk moot. Moreover, though the eldest son of the king usually succeeded to the throne, if it was considered that he was unworthy in person, in mind, in dignity, or in courage, the folk moot might select a younger member of the family. In some cases the assembly even ignored the royal descent altogether and gave the crown to a powerful and influential noble better fitted to be chief of the tribe.

After the folk moot had come together for an election, the candidate's name was proposed, and if it was satisfactory, he was acclaimed the choice by shouting and the striking together of martial arms. If the response was sufficiently lusty, the candidate was proclaimed king. If, however, there were murmurs of dissent—ominous negative sounds—the election was not valid and it was necessary either to wait for a more unified consent or to name another candidate. Only in cases of extreme disagreement, because of rival claimants, was it necessary to set up a second candidate. It is worthy of note that the candidate who was on the ground had a better chance of being named king than one who was not present.

The early English did not feel any obligation to pay taxes to support a king's estate, though they were willing to help him with life and money when they were defending themselves and their homes under the king's leadership. They had no idea of supporting the king because of his kingship. As king he was simply the richest and most powerful noble among them and was supposed, in the language of the time, "to live of his own." In fact, the question of taxation to support

the government in any form, a question that has vexed the world for so many centuries, was not one of the troubles of the early Saxons.

In the course of time the Saxons in England began to be harassed by the Danes, sea-rovers of their own kin, who would come down suddenly on the coast towns and the river villages in their high-prowed ships and carry off crops, flocks, and women. These raids caused the Saxon kingdoms in 829 to unite into a more or less unified league, with Egbert, King of the West Saxons, as the overlord of the various tribes. Egbert took the title of King of the Angles, and the country began to be known as "Angle-land."

Sometime during the earlier years of the Saxon rule in England, the large council of the kingdom came to be called the "Witan" or Assembly of the Wise Men. It was in reality the beginning of the King's Council or "Curia Regis," as it was designated in Norman times.

- ✓ The Witan assisted the King by approving laws proposed by him or by its own members, tried criminal and civil cases of importance, decided questions of war and peace, and named the successors to the throne. At first there seems to have been no formal "making" of laws. The Saxons were guided to a large degree by unwritten laws which resulted from customs and usage and which were enforced, if at all, by the people themselves. After a time some laws were written down and applied to all parts of the kingdom.

As the office of the chief king of Angle-land grew in importance, the carrying out of the king's work was left to the "shire reeve," later known as the sheriff. One of his chief duties was the preserving of "the king's peace," a special kind of peace by which the king and his officers, the king's house, and the king's highway

were kept free from disturbance or attack. The shire reeve was frequently obnoxious to the people as is indicated by the popularity of the Robin Hood tales and the ballads in which the king's sheriff usually suffered humiliation.

THE SAXON KINGS

Alfred, [871-901] England's greatest ruler, was acknowledged king by all the English. He tried to make the laws of the kingdom conform to the precepts of the Ten Commandments. He encouraged education and strove to bring about a better standard of living among his people. During this reign England continued to be attacked by the Danes, and *to buy them off*, King Alfred caused the first general tax to be laid on the English in the form of "Danegeld," which literally was, as the name implies, *gold for the Dane*. That tax, once levied, was not remitted even after all danger from the Danes had long passed. When it was finally removed, another general tax at once took its place.

The last Saxon king to hold the throne was Edward the Confessor. He tried to complete the work begun by Alfred and to set up an orderly code of laws which would establish justice to all men. Later, in Norman times, the people constantly besought their kings to restore the "good laws of Edward" that the kingdom might be brought back to the happy state that it had enjoyed in the days of the Confessor.

The earlier kings, not only of England, but of other countries, were not mere tyrants who seized power and kept it; they often came to their high office because the people wished to have a strong protector to look after their interests, which were often purely selfish. Kings

were kings because of personal strength and fitness. Such a thing as a lazy king could not exist. After the manner of Christian usage, the Saxon king at his coronation took a three-fold oath, promising peace to the Church, protection from violence to all men, and mercy and justice in his judgments. If he violated this oath or the customs of the country, the people attacked his person. Lacking any machinery for impeachment, the only recourse the people had was to cast the king into prison or to put him to death.

Saxon England contributed a large measure to modern, vigorous local self-government. As the local unit is the training school for democratic government, it is easy to see how the American practice of democracy has descended in a perceivable line from the days of the moot court, the folk moot, and the Witan of Saxon England. While for many centuries after Parliament was established, the bulk of freemen had very little to do with the national government, the practice of local self-government was never given up in England. It was the practice of local government which finally gained suffrage for all Englishmen, when the inhabitants of the great manufacturing cities realized their strength and insisted upon political justice.

At the end of the Saxon period there was no fixed form of government. What there was of regular method was largely unconscious. While it is true that Alfred purposefully tried to bring the laws of England into conformity with Christian principles and that the bishops of the Church directly sought to maintain peace and order, on the whole, the development of law was largely the result of circumstances and the force of things as they were.

Loyalty in Saxon times was mainly a matter of

devotion to the person of the king. A king of a large and generous personality strengthened the nation because the people were proud of him and in consequence came to have more respect for the country over which he ruled; but the idea of nationality did not develop until nearly one thousand years later.

NORMAN ENGLAND

In 1066 the distinctly Saxon period in England was closed by the Norman Conquest when the throne was seized by William, Duke of Normandy. William the Conqueror crushed Saxon England beneath his heel. He brought over with him hundreds of Norman-French barons, knights, churchmen, hangers-on, and adventurers. These French-speaking foreigners formed the upper layer of society, the Saxons being reduced, except in the case of a few powerful nobles, to a menial condition.

Under William the Norman, the government of England was centered in the hands of the King, and for a time, it looked as though the practice of popular government would be entirely forgotten. But fortunately that was not the case, for it turned out that while the Norman Conquest strengthened the central government on the one hand, it did not break down local government on the other. In fact, the two worked together in such a way as to lead to the final establishment of substantial government by the people.

William introduced a modified form of the continental feudal system. Under that system each noble had his own subjects or retainers who owed entire allegiance to their lord. The King was merely the most powerful of the great nobles, who supported him with arms and men as they wished to. The people followed their lord or

baron, not the King. When William came to England he made the people swear allegiance directly to him, not to the feudal barons. This was the first clear putting forth of the principle that the King was the source of the law. Up to that time it had been conceded tacitly that the people were the source of law.

But though William made himself the law-giver, he continued the established custom of calling a great council of the realm, a body similar in many ways to the Saxon Witan. From this great council, called the "Curia Regis" or "Council of the King," has come nearly all the English governmental bodies, including Parliament — Lords and Commons — the King's Court, the Star Chamber Court, and finally the Cabinet—the present "government" of England.

STRUGGLE BETWEEN KINGS AND BARONS

The four hundred years that followed the Norman Conquest, from 1066 to 1485, saw the beginnings of nearly all the English governmental forms. The entire period is marked by the struggle of three elements — the king, nobles, the freemen,— to gain power, recognition, or civil rights. The contest was often between the king and nobles. When the king was weak, the barons grew strong. The people sometimes sided with the king, and sometimes with the barons, or strove against either or both. The people, on the whole, received more justice from the king than from the barons, probably because the king was removed from close contact with the mass of his subjects, while the barons, living close to the people, were able to make their daily lives wretched.

The struggle toward government by the people is marked by concessions made by various kings. Henry I (1100–1135) granted a "Charter of Liberties" to the

English people. This charter was nothing more than a re-affirming of the Good Laws of Edward, guaranteeing certain civil rights to all English freemen.

To Henry II (1154-1189) may be credited the beginning of the English jury system. The King inaugurated the custom of summoning certain "good and judicious" men of the neighborhood where a crime had been committed or a dispute had arisen to advise with him concerning the case. Curiously enough, the men who knew most about the case were those especially sought as jurors. In the course of time, a distinction was made between the "grand jury," which investigates cases and the "petit jury," which consists of the twelve men who try cases.

John, the weakest and meanest of English kings, came to the throne in 1199. The barons, made strong by the King's weakness, waged incessant war upon him, until in 1215, led by Stephen Langton, the Archbishop of Canterbury, they forced John to sign the Magna Charta, the Great Charter of English liberties..

This famous document was not a setting forth of any new rights, but merely a promise to carry out law which had been long in force. The two most important provisions of Magna Charta are first, that the king may not punish or imprison his subjects as he pleases, but that each freeman of England shall be judged by his equals; and second, that the king may not levy taxes without the consent of the bishops, earls, and lesser barons. The full force of the second clause was not appreciated in 1215, but in after years it became a strong weapon in the hands of Parliament.

It would be untruthful to say that the barons and prelates, who coerced John at Runnymede, were acting on purely unselfish motives with the thought of the

rights of all men in their minds and with a conscious eye on future ages. As a matter of fact, they were not setting themselves up as champions of all Englishmen; they were merely seeking to secure for themselves certain inherited privileges which John sought to take away. But they strengthened their cause by speaking for all the freemen of the nation, probably recognizing the added power that such a backing gave them.



Nullus liber homo capiatur, vel imprisonetur, aut dissaisiatur, aut utlagetur,
No free man shall be taken, or imprisoned, or dispossessed, or outlawed,



aut exuletur, aut aliquo modo destruatur, nec super eum ibimus nec super
or banished, or in any way destroyed, nor will we go upon him nor upon



eum mittemus, nisi per legale judicium parium suorum vel per legem terrae.
him send, except by the legal judgment of his peers or by the law of the land.



Nulli vendemus, nulli negabimus, aut differemus, rectum aut justiciam.
To no one will we sell, to no one will we deny or delay, right or justice.

Courtesy of Allyn and Bacon

SECTIONS 39 AND 40 OF MAGNA CHARTA

The bars are facsimiles of the writing in the charter, with the curious abbreviations of the medieval Latin. Below each line is given the Latin in full with a translation.

In the reign of Henry III (1216–1272), which was marked by a continued struggle between the King and the barons, the larger King's Council began to be called "Parliament." Henry required much money and spent it lavishly. He frequently renewed, and as promptly broke, Magna Charta. The barons found a champion in the King's brother-in-law, Simon de Montfort, Earl

of Leicester, one of the noblest figures in English history. Under his bold leadership they forced Henry, by the "Provisions of Oxford," to employ a Council to advise him, to have three Parliaments a year, and to compel the three chief officers of the government — the Chief Justice, the Chancellor, and the Treasurer — to make a yearly account to the Council, by whom they were appointed.

BEGINNINGS OF PARLIAMENT

Yet in spite of these Provisions of Oxford, Henry III refused to rule according to law, and when in 1265 he again demanded money to carry on a war of conquest, the barons, led by Earl Simon, made war upon the King and summoned a Parliament in his name. Earl Simon invited not only the barons and bishops who had formerly met with the King's Great Council, but he also called to meet with this assembly two burgesses elected from each borough and two knights from each shire. These "commoners" were invited to sit in with the barons that they might help to devise methods of curbing the King and of forcing his ministers to render an account of their stewardship, that is to be "responsible" for their official acts.

This date, 1265, is a great landmark in English history. That first meeting, where sat elected knight and burgess, was the shadowy beginning of the House of Commons, the chief institution through which English constitutional government has been developed. But the intrepid Earl Simon, like many another famous leader, failed to keep his party together, and in a battle against the King's army the great baron was slain. He died fighting bravely with the cry on his lips, "It's God's grace."

Edward I succeeded to his father's troubles, but having been his great uncle's pupil, he used the people to help him against the nobles, and in 1295 he assembled the first real English Parliament, maintaining that he took this action because "what concerned all should be approved by all."

In Edward's reign it became a fixed custom for the Parliament to consent to taxes before they could be imposed. Though this consent was largely a formal matter, it was a way of controlling the King. From this beginning came the present right of the "popular" branch of government to control taxes.

Richard II (1377-1399) had an unquiet reign, one of the most notable features of which was the Peasant's Revolt (1381), or as it is commonly called, Wat Tyler's Rebellion. This insurrection of the common people was caused by the imposition of an unjust and very burdensome poll-tax. The revolt was put down with great cruelty after the peasants had been given little charters insuring them redress and removal of the tax. The faithless Richard showed himself such an unworthy King that when Henry IV, the great Earl of Lancaster, seized the throne, Parliament readily confirmed the usurper's claim.

CONSTITUTIONAL GROWTH

With the reign of Henry IV came a period of rapid political development, which was largely due to the fact that Henry IV had received the crown from Parliament and as a consequence was forced to rule strictly by law. He coaxed and wheedled his Parliaments into doing as he wished them to and by his ability as a statesman kept the royal seat. Parliamentary control extended to the ministers of the King who were named by Parlia-

ment and forced to give a strict account of their doings. In this reign no taxes were granted without the consent of Parliament, "granted by the commons and agreed to by the Lords," being the phrase formally used in the money-granting statutes.

While Parliament was a taxing body from the first, its power to carry out laws grew with the attempts to exercise some sort of control over the collection and expending of taxes; in short, from a desire on the part of Parliament to insure honesty and accuracy, that is, to fix "responsibility" in the spending of public money.

In Norman times Parliament began to make laws in a simple way as a result of its habit of demanding that the king right some wrong or grant some definite concession in return for its giving consent to taxes; to use the expression thereafter common in English and American governmental affairs, they demanded a "redress of grievances." The "grievances" were at first some infringement of the ancient rights of Englishmen, or the failure of the king to keep former promises or to cause his ministers to give an account of their spendings of public money. Later they included requests for new arrangements that Parliament wished to have go into effect. These demands were presented in the form of "petitions," in the framing of which the Commons had recourse to judges and lawyers, who sometimes changed the meaning or made substantial omissions. The difficulty in securing desired legislation caused the introduction of "bills," which when completed and approved by Commons, Lords, and King, became "statutes" or the laws of the kingdom.

The Commons could approach the King by means of the speaker of the House; the individual Lords were always entitled to admission to the royal presence. Dur-

ing the Lancastrian period, the Commons themselves elected their speaker, but the tyrannical Tudors took the appointment of the speaker into their own hands.

When it was finally recognized that Parliament was the source of law, the King thought up new ways of getting what he wanted. For instance, toward the close of the session he would bring in all at once a number of matters that he wished to have acted upon. Because of this crowding of the final sittings, the Commons at one time respectfully begged Henry IV to refrain from this practice as they wished for an opportunity to have "good advice" before replying to "most important matters."

Impeachment was introduced when Edward III's most powerful ministers were tried by the House of Lords. During the same reign, the auditing of accounts became a national policy. All this time there had been accumulating certain definite "privileges" enjoyed by the members of Parliament. The chief of these were, first, that the speaker of the Commons should have access to the King "to petition, to counsel, or to remonstrate" with him; second, that the members should be safe from arrest or molestation during a session of Parliament, and in coming to and going from the assembly; third, and most important of all, that members should be allowed freedom of speech. This last privilege was a decisive step toward democracy, for when freedom of speech was conceded by a King, he acknowledged a power superior to himself. When they had become fully established any infringement of these privileges was met by angry cries of "privilege!" from the benches of the Commons.

In the course of time it became necessary that the members of Parliament should be men of independent

means, until finally, property qualification kept all but landed gentlemen out of the Commons. In the fourteenth century, sheriffs and *lawyers* were excluded from Parliament as being specialists and, therefore, *not interested in the affairs of the community!*

SUFFRAGE AND MAJORITY RULE

After the House of Commons was established, the method of election became fixed. At first everybody was allowed to vote; villagers, tenant-farmers, small squires, shop-keepers, trades-people, and other towns-folk standing about "acclaimed" the nomination and thus made an election. If anyone present was strong enough and bold enough to object, other names were proposed. This went on for centuries until there began to be distinct classes made up of rich and poor. The Peasant's Revolt was said by the wealthy classes to show the "insolent arrogance" of the peasant class, "everyone of whom pretended to a voice equivalent with the most worthy knight and squire."

To check this "arrogance" on the part of the people, in 1429 the Commons passed a seemingly harmless law, which restricted the privilege of voting to those who had a free tenement to the value of forty shillings a year. Thus, at one stroke, after Parliament had been in existence for one hundred and fifty years, the greater part of the freemen of England were denied the privilege of electing representatives. Thereafter a very small class claimed that political privilege as a political right. It was not until 1885, four hundred and fifty-six years later, that the wrong done by the statute of 1429 was removed from the majority of the English people.

In the same statute, the principle of majority rule

was set forth as law for the first time in English history. Up to this time, the practice of "general consent," which survives in the jury system to-day, had been in use. By the statute of 1429 the men to be sent to Parliament were to be "such as have the greatest number of them that may expend forty shillings a year"; that is, those candidates who had the majority of votes for the position.

THE KINGS AND TAXES

As the power of Parliament developed, the early English Kings found many ways of overstepping their legal rights by outgeneralizing their assemblies, especially in getting money by special taxes without consulting Parliament. Taxes had been imposed on the English people from the days of the Danegeld. When that tax passed out, other legal "ancient aids, tasks, and prizes" were imposed to fill the royal treasury. Among these was "scutage," at first a tax paid for exemption from bearing arms, and "tonnage and poundage," an import tax on wine, beer, and other materials. Other sources of revenue were "forced loans," which were paid back at the King's leisure, if at all, and "benevolences," or solicited donations of large sums of money. Queen Elizabeth added "ship money," a tax laid on coast towns when England was threatened by the Spanish Armada. These irregular taxes the King levied whenever he needed money.

After the laws agreed to by King, Lords, and Commons came to be called "statutes," the King made use of a new method of over-riding Parliament. He would simply "annul" the statutes by wiping all obnoxious new laws off the slate almost as soon as Parliament had gone home. He would then notify the sheriff of each

county that such statutes were null and void. And with the consent of his privy council, he would enact such "ordinances" or "orders in council" as he chose, under pretended or actual immediate necessity. The members of Parliament, having gone home, were of course forced to wait for "redress of grievances" until the King found it necessary to call them together again.

During all this time, the courts had been taking form. One, the Star Chamber Court, was a secret court which passed judgment without jury or witnesses. It was first set up as a means of restoring order and establishing authority—a sort of court of "martial law." This court, under the Tudors and the Stuarts, grew into a notorious machine of ruthless oppression from which no subject was safe.

By the end of the Lancastrian period, that is about 1400, the courts, higher and lower, had been set up and were regularly employed. The rights of Parliament had also become fixed. It was Parliament's right to depose the King, to confirm a candidate for the kingship, and to control the King by controlling his ministers. To the Commons had been given the right to hold the pursestrings, that is, to grant the taxes. As the King could not support his state without a revenue, this privilege of voting taxes kept an effective check on the ruler. But best of all, the right of a speedy trial by jury had become clearly a right of all English freemen.

RISE OF THE COMMON PEOPLE

By this time a great change had come over the mass of the people. After the Black Death, a terrible plague which fell upon all Europe in the middle of the 14th century, the condition of the poorer classes had greatly improved. The scarcity of laborers gradually allowed

them to exchange their services for money. The lower classes, serfs and peasants, began to realize the injustice done them and broke out into several well-developed revolts. By 1450, serfdom had passed from England forever and all English men were legally secure in the rights of *Magna Charta*.

The improvement in the condition of the people and the growth of the power of Parliament was checked in the fifteenth century by the devastations of civil war, in which for thirty years the White Rose of York strove with the Red Rose of Lancaster for the throne of England. During this period — as was inevitable — Parliament, having lost its great leaders, was shorn of its power, though it still retained its formal functions. By 1485, when Henry VII, the first Tudor king, came to the throne and thus ended the Wars of the Roses, Parliament had ceased to be the vigorous governmental body of a century earlier. It was not long until it became the ready tool of the Tudor sovereign. Then followed the period of the Reformation, that great religious upheaval which set men at cross purposes for long and weary years and caused them to neglect political privileges in the crucial struggle for religious freedom.

But though the English constitution was a dead letter during the Tudor period, it still existed in form and was never wholly disregarded, so that when Parliament in the days of the Stuart kings roused itself to action, this unwritten constitution was evoked to help Englishmen get back the rights that had been acknowledged in the days of Alfred and of Edward the Confessor, that had been reaffirmed by John, and that had taken legal form and become well-established precedent before the Wars of the Roses. Piece by piece during Norman

times the English people had set up the machinery of government that would legally secure to them the rights that at an earlier period had been recognized by common usage; step by step they had moved toward surer justice, although the successful working out of their almost unconsciously well-made plans was deferred for many years.



OFFICERS RECEIVING AND WEIGHING COIN AT
THE EXCHEQUER, A. D. 1130-1174

MS. Trin. Coll. Camb. R. 17, 1

CHAPTER II

AMERICA'S GOVERNMENTAL INHERITANCE FROM MODERN ENGLAND

We have advanced by falling back on a more ancient state of things; we have reformed by calling to life again the institutions of earlier and ruder times, by setting ourselves free from the slavish subtleties of Norman lawyers, by casting aside as an accursed thing the innovations of Tudor tyranny and Stuart usurpation.

"The Growth of the English Constitution," *E. A. Freeman.*

THE TUDOR DESPOTS

Henry VII, the first Tudor King, was crowned on Bosworth Field in 1485. The Tudor period marks the beginning of modern England. The Wars of the Roses had settled the question of feudalism forever, most of the great barons of the Red and the White Rose having been killed on the battle-field. For a century thereafter, the Tudor sovereigns ruled as they pleased.

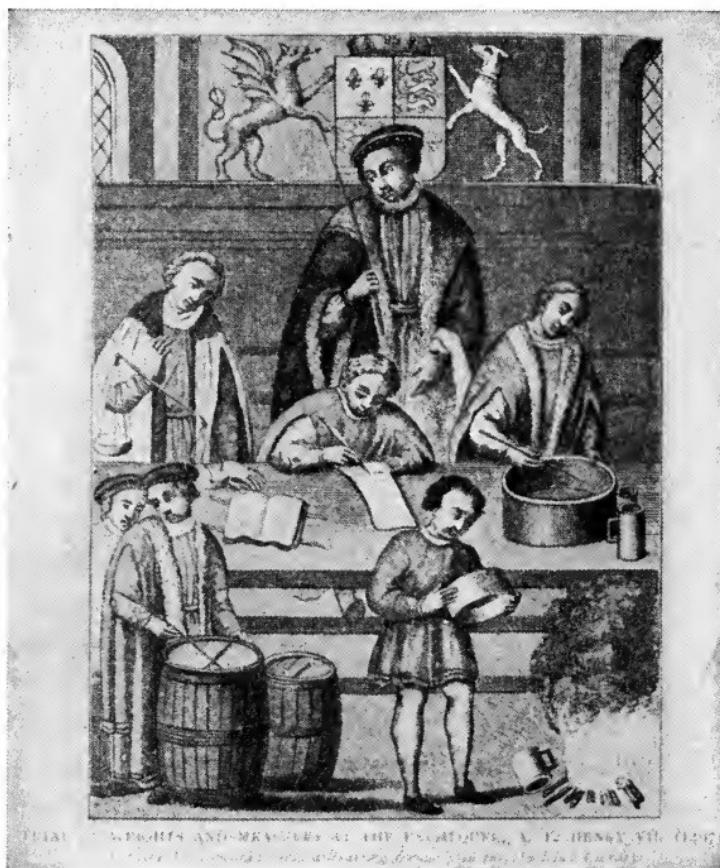
The Tudor period is noted for the Protestant Reformation, for the rise of England in power, for great changes in the economic condition of the people, and, most of all, for the age of Elizabethan literature. Though the iron-handed Tudors cared little for the welfare of the people, they were wise enough to rule under legal forms. They never neglected to have Parliament sanction all their acts, but they were very careful about the selection of Parliament. The matter of controlling parliamentary elections after the Wars of

the Roses was easy. The Tudors adopted various methods of bribery that continued to be used in England more or less regularly up to the end of the eighteenth century.

Henry VII was a miser and a tyrant who filled his treasury by a most ingenious system of taxes and fines. Neither the rich nor the poor escaped his net. He enlarged and perfected the secret Star Chamber Court which he used to seek out and try persons with whom he was displeased or from whom he wished to extort money. Since there was no appeal from the decisions of this king-made body, it is easy to see how it became an instrument of tyranny in the hands of a despotic ruler. Henry used it to assist him in demanding forced loans and benevolences, and in laying wholesale fines, until he had amassed the immense fortune which his son and successor, Henry VIII, squandered. After Henry VII began to operate the Star Chamber Court successfully, he found Parliament unnecessary and did not call that body at all during the last nine years of his reign.

Henry VIII (1509–1549) was even more despotic than his father. During his reign, the Protestant Reformation entered England. The King demolished the monasteries, seized the lands, and bestowed them upon his friends and supporters. In 1520, after an interval of five years, Henry called a Parliament, which he himself had selected. He kept this Parliament for seven years by the simple method of alternately proroguing and summoning the same body. It made Henry not only "Protector and only Supreme Head" of the Church, but also made it unlawful for a person accused of high treason to plead in his own behalf, and forced public officials to take the Oath of Suprem-

acy which acknowledged the king as the head of the Church. But though Henry VIII ruled most autocratically, it was always under Parliament's sanction.



TRIAL OF WEIGHTS AND MEASURES AT THE EXCHEQUER, A. D.
HENRY VII (1497)

Velutu monumenta; from a drawing formerly in the Harleian Library

"Let your weights and measures be fair, your balance just, your bushel and your pint honest;" one of the "good laws" of early England which is not yet fully realized in practice.

Henry VIII was followed in consecutive order by his son, Edward VI, and his daughters, Mary and Elizabeth. The whole period was one of religious

persecution, first on one side, then on the other. Religious toleration as a national policy was at the time undreamed of.

During the reign of Elizabeth (1558–1603), England, the little island kingdom, rose from a sixth rate place to one in the first rank among nations. In this reign, Catholics were excluded from Parliament and the seeds of future political discord were sown. Elizabeth established the secret Court of High Commission which, like the Star Chamber Court, robbed its victims of trial by jury on an open charge. Thereafter the sovereigns had almost absolute power, as in these courts the enemies of the ruler could be quietly disposed of.

About this time the New World began to engage the imagination of Englishmen and a few unsuccessful attempts were made to found settlements across the Atlantic. Sir Walter Raleigh made no less than three efforts to found settlements in Virginia, but did not succeed in any of them.

For all the greatness of Elizabeth's reign, it had its dark and gloomy side. The poor suffered terribly. Their lands were taken away to be made into great sheep walks and the soil of England passed into the hands of a small number of great land owners. Misery spread all over the kingdom. Indeed, it is recorded that 17,000 beggars were executed during this reign for the "*crime*" of being destitute.

THE DIVINE RIGHT JAMES I

The Stuart, James I, succeeded Elizabeth in 1603. At the door of this ruler, with his "Divine Right of Kings" delusion, may be laid a good deal of the trouble of the unhappy Stuart period. James was filled with the idea that the King, by the special pro-

vision of the Almighty, was the source of power from whom flowed all law. When this small-minded King with his idea of Divine Right, found himself opposed by an intelligent Parliament, equally firm in urging that the King was subject to Parliament, a period of political stress followed.

One great cause of trouble was the religious strife, not only between Catholics and Protestants, but among the various Protestant sects. James made laws against the "dissenters" who did not conform to the Church of England—Catholics, Presbyterians, and Puritans alike. In 1620, these harsh measures drove the Pilgrims to Plymouth Rock on the shores of New England.

James I in his zeal to show his Divine Right, used the Star Chamber Court and the Court of High Commission in ways that even Elizabeth had not thought of. For seven years, he summoned no Parliament but secured an income by granting monopolies, and by obtaining forced loans and benevolences. He also sold peerages and invented a new title, that of baronet, which he retailed along with the title "Sir" at one hundred pounds apiece. He sold great estates in Ireland to absentee landlords, and "planted" Ulster with Scotchmen and Englishmen who were willing to settle there. Scottish Protestants in large numbers took advantage of the grant and people from London founded Londonderry. This was the beginning of the "Ulster Question."

In the years following James I's accession to the throne, the first permanent English colony was planted in Virginia, under a charter granted by the King to the London Company. At this point in the story of England's struggle for popular government, the center

of interest for Americans is transferred to those English colonies that later became the United States of America. But a brief outline of the constitutional development as it continued in England gives material for comparison with the growth of democracy in America.

The entire Stuart period in England, from 1603 to 1683 — including the period of the Commonwealth — was marked by an almost constant struggle for control between the rulers and Parliament. Religious persecution, a Civil War, the migration to America, an experimental period of “popular” government known as “the Commonwealth,” all contributed to the final establishment in 1688 of the principle that the King of England was subject to the control of Parliament.

CHARLES I AND PARLIAMENT

Charles I (1621-1649) had a pleasanter personality than his father, James I, but he was even more stubborn. He summarily dismissed his first Parliament for refusing to grant him money. When he was finally compelled to summon them again, the members of Parliament, led by Sir John Eliot, stood out boldly against him and refused to grant “tonnage and poundage”—one of the “accustomed dues”—for more than one year although this tax had heretofore been granted for the lifetime of the sovereign. At this, Charles haughtily sent the members home and tried to get along by levying illegal taxes, forced loans, and benevolences.

When, because of war in France, he was forced to summon Parliament for the third time, the Commons forced Charles I to sign the “Petition of Right” before they would take up any matter of taxation. This famous document which promised freedom from illegal

taxation, false imprisonment, and forced loans, was really a revision of the English Constitution to date, as far as the personal rights of Englishmen were concerned. Charles, hard-pressed for money, reluctantly signed this great state paper amid heartfelt public rejoicing and Parliament at once granted the needed supplies. But his needs having been attended to, the faithless Charles made no attempt to keep his pledge to the people.

The next year found the treasury again empty and the King as so often before was compelled to summon Parliament. But finding that the members were determined to keep up the fight for constitutional liberty, Charles dissolved Parliament and ruled as an absolute monarch for eleven years, working through the Star Chamber Court and the Court of High Commission. He collected money by all sorts of means and sent a force into rebellious Ireland where a "thorough" program of coercion was carried out with great ferocity. Charles I with even-handed injustice persecuted both the Puritans and Catholics alike, so that from 1630 to 1640, ten thousand Puritans emigrated to Massachusetts, and in 1634, a large colony of Catholics founded Maryland under Lord Baltimore.

Finally in 1637, the King levied "ship money" on all towns, thus directly violating the promise given in the Petition of Right. This ship money was a tax formerly levied on coast towns only. John Hampden, a country squire, refused to pay the ship money tax, and the case was brought to court. Though seven of the twelve judges decided against Hampden, the decision had the force of a victory since the people of the kingdom were aroused and many of them stood against the King.

Threatened by war with Scotland, the King again summoned Parliament after an eleven year interval. The old struggle was resumed. This time the leader was John Hampden—Sir John Eliot, who earlier had led the opposition, having died in prison. Parliament at once passed a resolution declaring that it could be dissolved only by its own vote. Enraged at this, Charles I entered the House of Commons in person in an attempt to arrest the five leading members but he was forced to retire upon the Speaker's refusal to point them out. Civil War soon followed.

After several years of warfare, the Parliamentarians, led by Oliver Cromwell, were victorious and Charles I was executed as a traitor, tyrant, and public enemy.



JOHN HAMPDEN

From a print by I. Houbraken

CROMWELL AND THE COMMONWEALTH

The period of the Commonwealth and the Protectorate under Cromwell (1649–1660) followed. Since he did not have a united England under him, Cromwell was forced to use arbitrary measures to hold his position as dictator. His army was made into a military machine to carry on the government and when Parliament did not vote to suit the "Protector," as Cromwell was called later, he turned a regiment of soldiers into the house and

"purged" it of members who were not pleasing to him. At another time he drove the members of this "rump" parliament from the hall where they were assembled, locked the doors, and put the key into his pocket. By this time he too had grown to believe that he was governing England by Divine Right.

Cromwell both as a man and as a ruler has been greatly admired by some people and violently denounced by others. While it is true that he instituted many commendable measures, his rule began to break down before his death in 1659 because he failed to give Englishmen that for which they had so long striven — government by the people through their representatives in Parliament.

THE RESTORATION PERIOD, 1660-1688

After Cromwell's death, a period of anarchy followed until, in 1660, the Stuarts were restored in the person of the dissolute Charles II. This period counted little toward the advancement of government by the people, although it was in this reign that the famous "Habeas Corpus Act" was put upon the statute books. This law finally made Englishmen secure from false arrest. Because of the many pretended popish plots, all Catholics were shut out from Parliament with the result that for one hundred and fifty years thereafter, no Catholic sat in either house, Lords or Commons.

Toward the close of Charles II's reign real political parties began to appear. Those who believed in the supremacy of Parliament were called "Whigs," and those who believed the King the source of power were called, in scorn, "Tories."

James II succeeded his brother Charles II in 1685. The new King tried to restore the Catholic religion.

This roused the resentment of the men who controlled the government. Therefore James II's reign was brief and inglorious. He could not manage Parliament and he prorogued it from time to time until he finally dissolved it. Meanwhile, certain statesmen of England secretly negotiated with William of Orange, the husband of James's daughter, Mary, and presently offered him James II's throne. William accepted and with Mary came to England in 1688. Thereupon James II precipitately fled to France and sought the protection of Louis XIV.

PARLIAMENTARY CONTROL ESTABLISHED

Before the coronation of William and Mary, a "Bill of Rights" was drawn up, limiting the powers of the King. This Bill of Rights, which insured the "undoubtful rights and liberties" of Englishmen, rehearsed the main items of Magna Charta and added whatever was new and definite in the "Petition of Right." It reaffirmed that taxes were not to be levied without the consent of Parliament, that the King was not to interfere with the execution of the laws, and that there were to be frequent Parliaments; it prohibited a standing army and billeting of troops in private houses in times of peace; it reaffirmed freedom of discussion. It added that England was a Protestant country and that the ruler of England and Ireland should be neither a Catholic nor the husband or wife of one of that faith; it disabled "Papists," Jews, and Unitarians from sitting in Parliament, from holding office, and from attending universities.

In spite of the inconsistencies in this "Bill of Rights" and though deceit and selfishness marked every step in the carrying out of the Revolution of 1688, the results

were important to the cause of democracy. The main points gained were four: the judges in the courts were made irremovable, even by the King; an election for Parliament was thereafter to be held at least every three years; revenue bills were thereafter to be for one year only; and the beginning of Cabinet government was made. This latter came about because William chose his ministers from the leading political party of the House of Commons and thus these ministers were responsible directly to Parliament.

William of Orange accepted the conditions of the Bill of Rights and became King in 1688, but his accession did not bring peace and security to England. His reign was a time of popular unrest, for the people, both in England and in her American colonies, were beginning to feel the desire for political liberty. England was also distracted by the claims of the exiled Stuarts who were supported by the royalists in England and by a majority of the Scotch.

James II's daughter Anne (1702–1714), the last Stuart, succeeded William of Orange. The most important political event of her reign was the union of Scotland with England in 1707, when the Scots gave up their separate Parliament in consideration of the removal of duties on goods passing across the borders.

THE AMERICAN REVOLUTION

George III (1760–1820) followed two other Hanoverian Georges. In his reign the American colonies gained their independence. At this time colonies were looked upon merely as sources of income for the mother country. But England, because of domestic troubles, had up to George III's time allowed her American colonies an almost free hand in their internal and

commercial development. George III, realizing that the colonies were bringing little to the imperial treasury, sought to remedy the condition by reviving neglected trade laws whose enforcement would hamper the commerce and manufactures of the colonists and give the main profit of American business to British merchants. The king and Parliament also sought to impose a new system of colonial taxation. The Americans resisted, and in 1776 set up the United States of America.

In the study of the American Revolution it must not be forgotten that the colonists had powerful and active friends in England. The liberals, Pitt, Fox and the great orator, Burke, openly spoke out in favor of the colonists. What angered George III at Pitt and the other American sympathizers was the fact that their attitude was the cause of added discontent among the great masses of the middle class, who, because of the unfair distribution of representation in the Commons, were deprived of any voice in the government. "Pocket boroughs," small villages or districts almost without inhabitants, and "rotten boroughs," controlled by wealthy landowners, began to be complained of because they held many seats in Parliament while the great manufacturing cities were absolutely unrepresented.

That the fight for political freedom was a longer, bitterer struggle in England than in America was due to age-long inherited evils — religious intolerance, class rule, and a fixity of privileges which it took many years to overcome. America realized a great measure of political freedom much earlier and more easily than did the people of England because she cut with one blow the bonds of ancient wrong, and, foot-loose and scot-free, set out on the great adventure of popular self-government.

In George III's reign, Ireland was united to Great Britain by an act of Union which was secured by wholesale bribery. The Parliament of Ireland, composed entirely of Irish Protestants, voted itself out of existence and 128 Protestant representatives were sent to sit in the Parliament of the United Kingdom of Great Britain and Ireland.

EXTENSION OF SUFFRAGE

In spite of the fact that in 1688 Parliament had been definitely set up as the source of law, the whole of the 18th century was a period of political stagnation if not retrogression in England. Little progress was made toward the extension of the franchise. The small group who held the right to vote and to hold office, to make and unmake laws, fought hard to confine those privileges to themselves. But with the opening of the 19th century, signs of change appeared. In 1828, the laws discriminating against Quakers and other "non-jurors" were removed; in 1829, through the efforts of Daniel O'Connell, Catholics were allowed to sit in Parliament; and in 1858, Jews were finally permitted a place in the councils of the nation.

At long intervals the demands of the people for political rights made real advances toward a juster and more liberal representation of the people. Three reform bills were passed grudgingly by the Commons and with bitter strife on the part of the Lords in 1832, 1867, and 1885.

The first Reform Act fathered by "Lord" John Russell went into effect in 1832 after two other attempts had failed. By this act the franchise was extended to a great portion of the middle class, and one hundred fifty members of "rotten" and "pocket"

boroughs lost their places. These places were given largely to new towns and populous counties in England; a few went to Scotland and Ireland.

At this period, the terms "Liberal" and "Conservative" began to take the place of "Whig" and "Tory." The fact that the reform in representation was not granted freely left a bitterness of feeling between the leisure and working classes of England, a feeling which has been kept alive by the piling up of wealth in the hands of a few, while the many remain below decent levels of life.

In the early days of Victoria's reign (1837-1901), a clamor, usually spoken of as the "Chartist Agitation," arose among the poorer classes. The agitators were asking for six definite reforms which they set forth in a platform called the "People's Charter." These demands, which seem very mild to us, were as follows: universal suffrage, annual Parliaments, vote by ballot, abolition of property qualifications for members of Parliament, payment for members of Parliament, and equal electoral districts.

Practically all of these demands have in the course of time been granted, but in the days of the Chartist Agitation — from 1838 to 1848 — England was in a periodical uproar over this "radical" program. In 1848, the year of revolutions in Europe, the Chartists were put down after all England, particularly London, had been thrown into a panic of unreasonable fear by the attempt of the Chartists to march in a body to Parliament to present a monster petition which it was claimed contained five million signatures. The authorities of London were alarmed. Two hundred thousand special police were sworn in, but nothing happened as

the agitators seemed to have frightened themselves as well as the authorities.

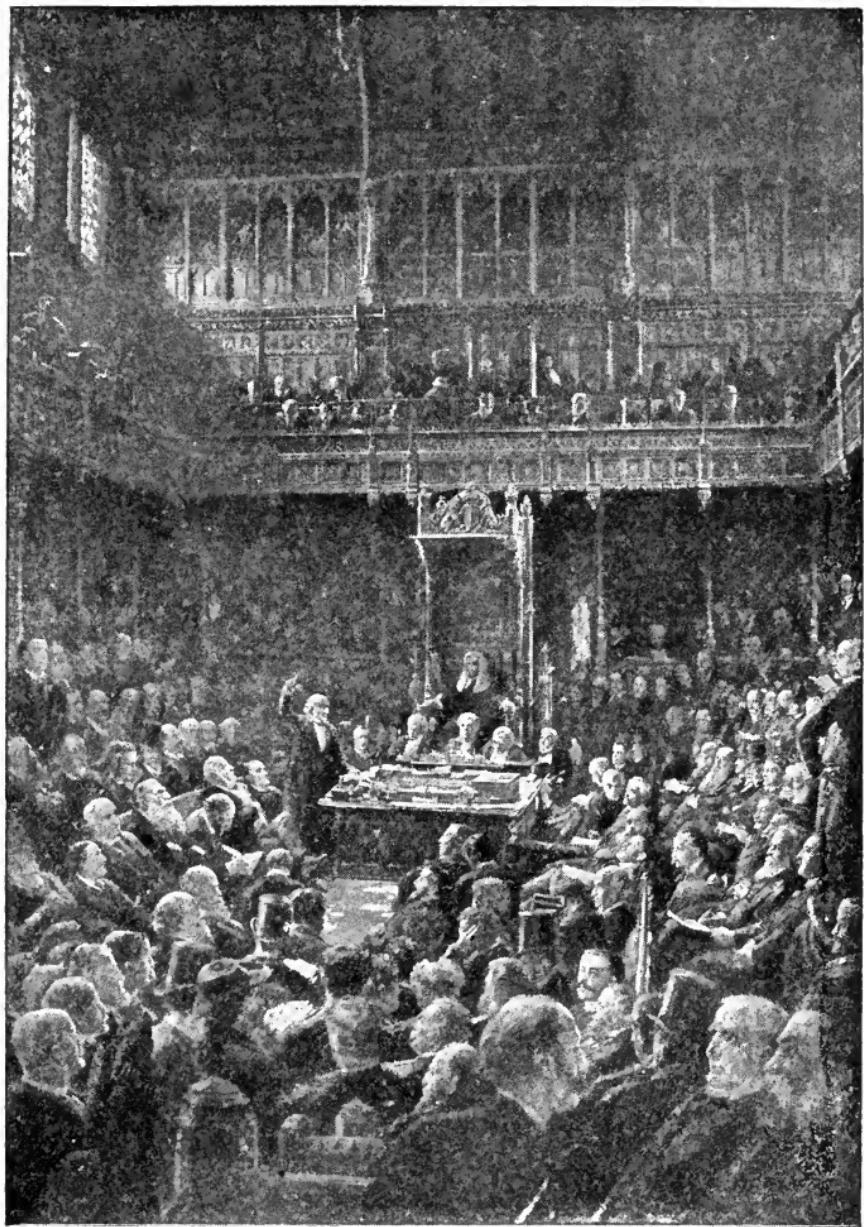
After that time little was heard of the Chartists but their work bore visible fruit in 1867 when a second Reform Act was passed. This act extended suffrage to householders and lodgers in cities, and to farmers and tenant-farmers in rural districts. In 1872 the right of suffrage was made more secure by the Ballot Act which allowed a voter to use a printed form instead of openly announcing his choice as was done before that time.

In 1885 the "Representation of the People" Act gave to all male householders and lodgers a right to vote, provided they paid their rent. By this act, passed under Gladstone's leadership, two million voters were added to the roll of electors and at last the right which had been taken away by the statute of 1429 was restored to working-men and laborers.

THE GOVERNMENT OF ENGLAND

In the development of government by the consent of the governed, the House of Lords has had very little part. As a body, their contribution has been entirely negative; that is, they may attempt to control legislation by their veto but they have little positive influence in making new laws. Every attempt at reform has been hampered by the Lords, who at times have allowed the passage of measures only by the threat of the Commons to compel the King to "create" a sufficient number of "Liberal" Lords to carry through desired legislation.

Of late years there has been serious discussion of totally abolishing the House of Lords, that seat of "ancient privilege and vested wrong." A virtual de-



Courtesy of Ginn and Company

GLADSTONE ADDRESSING THE HOUSE OF COMMONS

From Outlines of European History, Part II, by Robinson and Beard

struction of its power to hinder legislation was accomplished by a law passed in 1911 which provides that, regardless of the Lords' veto, any money bill passed by the Commons becomes a law within a month, and any other bill after three successive sessions have passed it.

The House of Commons, the real seat of the government of England, executes the will of the majority of its members through what is called the "Government," in other words the English Cabinet. As in the United States, political movements are carried forward by means of political parties, of which, in 1914, there were four — Liberal, Conservative (Unionist), Laborite, and the Irish party. To make a majority and thus get measures passed, different parties sometimes join forces, concessions being made on each side. The Prime Minister is the leader of the party which, by itself or by combination with other parties, can command the majority of votes of the Commons. The Prime Minister selects assistants for his executive council which corresponds in some ways to our President's Cabinet. However this body, unlike the American Cabinet, brings up all important measures that are to be enacted into laws.

If, for some reason, the lining-up of the Commons becomes disturbed and the Prime Minister is unable to carry through important measures, his ministry "falls"; he is automatically dismissed and the leader of the party which can control the House forms a new Cabinet. The only alternative that the Prime Minister can choose is to dissolve Parliament and call for a new election, a proceeding called "an appeal to the people." The result of the elections shows whether the Prime Minister or the opposing party has the support of the country. Thus in England the Prime

Minister and his Cabinet always have the backing of the majority of the house. In America a President elected by one party may have a Congress that is controlled by the other party and as a consequence, legislation may be almost completely blocked because of a deadlock between Congress and the President.

The assertion is often made that the government of England is more sensitive to the will of the people than is the government of the United States, but when we realize the contrast between the social life in America and that in England, where class is still strongly marked; when we remember that a hereditary House of Lords is one branch of the British government; when we consider also that in the conduct of foreign affairs, that is, in the management of the vast British Empire, the English people have nothing at all to say, we may fairly conclude that the assertion is not true. Moreover, in the actual working of the English government, there has grown up a large body of what may be termed *administrative laws*, by means of which government is carried on without immediate regard to the will of the people. In fact, in England, as in other European countries, and to some extent in the United States, the government does not always carry out the will of even a majority of the people.

In the matter of rural and municipal local government, great advances were made in England during the 19th century. The boroughs had always preserved a good measure of self-government even from Saxon times and the people in the rapidly growing cities have carried out the practice of their ancestors by their active and independent management of local affairs. By the end of the century, city governments had become thoroughly democratic, efficient, and enlightened.

Public utilities — water, street-lighting, and local transportation systems — are now largely owned and successfully operated by the cities themselves.

The Great War brought virtual universal suffrage to the people of England. In 1918 a law was passed which lowered the property qualification to so slight an amount that the vote was given to practically all men over twenty-one and to all women over thirty. The limitation to women over thirty is a temporary provision made because the war had so reduced the number of men that there was danger of an overwhelming woman vote. It may be noted in passing that while this fourth Reform Bill in effect gives to each person a right to a voice in the government, suffrage in England is based on "property" rights and not on "natural" rights, as is the case in the United States.

DEMOCRACY A SLOW GROWTH

In this brief survey of the growth of political freedom in England can be seen the prolonged and continuous struggle between the two principles of government — on the one side autocracy, the old enemy, and on the other, democracy, the approximate rule of the people. Looked at fairly, the lengthened story presents a not altogether pleasant picture of human nature, for often when democracy seemed about to become triumphant, it turned out to be not the true gold of popular rule, but the pallid silver of self-seeking, that desired expression for its own aspirations but refused a like expression to others of a different faith, race, or social status.

The ruling powers in England, Parliament as well as King, have been slow in trusting the common people. Every reform has been wrung from governmental

agencies as by sweat and blood. So simple and lucid a thing as justice had to be thus painfully won. The spectacle of rulers and law makers refusing again and again a decent consideration for the reasonable demands of their fellow men makes the lover of mankind sad and sick at heart.

But the picture has its bright side. The course has been on the whole upward; conditions have vastly improved and a better day seems to be dawning. The student of the political history of England remembers with a glow of warmth that every step in that long journey is marked by the heroic devotion of fearless leaders, who built for others than themselves; men who, imperfect instruments though they were, wrought sometimes unconsciously, often haltingly, the Gothic fabric of popular government, and led the way to clearer ideals of justice and equity, of fair play and a "square deal."

No class can claim these men whose names every lover of liberty reveres, no single profession, no single creed. The noble line holds the names of Stephen Langton, Archbishop of Canterbury; Simon de Montfort, a Norman baron; Sir John Eliot, Vice-Admiral of the fleet; John Hampden, a simple country squire; William Pitt, the Great Commoner; Daniel O'Connell, a landless Irish lawyer; John Russell, the son of a peer of the realm; and William Gladstone, an untitled Englishman. Indeed, such names show in truth "the sacred mystery of democracy, that its richest fruits spring out of soils which no man has prepared, and in circumstances amidst which they are least expected."¹ These men will stand foremost in the ranks of warriors who fought with other than mortal

¹ Woodrow Wilson.

weapons, men who with brain and tongue and trenchant pen dared cope with vested authority in the furtherance of free exercise of the right of the people to rule themselves.

There is an ancient, oft repeated, much neglected rule called by all men "Golden," because of its simple truth and beauty. Its application by parliaments and peace conferences would go far toward making government of and by the people an actual brotherhood of man. Such an accomplishment is worthy the best efforts of all men everywhere.

CHAPTER III

GOVERNMENTAL DEVELOPMENT IN AMERICA

Here . . . on this soil
Began the kingdom, not of kings, but men!
Began the making of the world again;
Where equal rights and equal bonds were set,
Where all the people equal-franchised met;
Where doom was writ of privilege and crown;
Where human breath blew all the idols down;
Where crests were nought, where vulture flags were furled,
And common men began to own the world.

John Boyle O'Reilly (The Pilgrim Fathers.)

While the development of government by the people in England has had a more or less direct bearing on the democratic development of the United States, the main stream of influence was transferred to America in the seventeenth and eighteenth centuries. It was at that time that there began in America a democracy differing in many respects from that of the parent country.

THE FIRST AMERICANS

The men who made the beginnings of our country were not the "average human material." They were, in a certain sense, picked men. The majority of those who immigrated to the new land were drawn from neither extreme of English society, the wretched poor nor the arrogant nobility. They were largely from the sturdy middle class, who, for one reason or another, had the courage and the enterprise to venture into un-



Courtesy of The Macmillan Company

THE OPENING LINES OF

From Channing's History of the United States

tried fields in a new and savage country far across the sea. They were artisans, tradesmen, farmers, townsfolk, and country people, with a sprinkling of gentlemen-adventurers, bond-servants, and vagabonds, all seeking to better themselves in one way or another. Some of them sought more of this world's goods, others sought political freedom, and yet others a chance to worship God according to their own consciences. With many of them the three motives were combined.

Whatever the special reason that impelled these men to fare forth, the object sought by all was essentially the same — *a freer, better, broader life for the individual*. Thus, though the Jamestown settlers came chiefly for economic reasons and a love of adventure; the Pilgrims of Plymouth, the Catholics of Maryland, the Quakers of Pennsylvania for religious liberty; and the Puritans of Massachusetts Bay for relief from the oppression of a tyrant, the supreme motive in every



THE PENNSYLVANIA CHARTER

instance was a desire for liberty and the opportunity to get ahead, in other words, individual freedom.

From the very first a marked change in the manners and ideals of the colonists began to show itself. The early settlers brought with them few men of rank, and society was more or less on a level. Moreover, owing to the great expanse of country, men could move about freely seeking larger opportunities. When a bond-servant had finished his term of service, he could strike out for himself and become a man among men. The necessity for labor with the hands proved to be a great leveller and in a marked degree helped the growth of the democratic spirit.

In all of the colonies, the clearly defined practice of managing the affairs common to all by some sort of legislative assembly was adopted. The men of each colony claimed the hard-won political rights of Englishmen, especially the right to control taxation. The

colonial assemblies more or less regularly imposed the taxes and in general had a voice in making the laws. As a consequence, the colonists were independent and self-reliant. It was, in fact, this dominating desire to manage their own affairs that led to the break with England.

PERIOD OF SETTLEMENT, 1607-1732

The settlement of Virginia was begun in 1607 by "sundry knights, gentlemen, merchants, and other adventurers" sent out by the London Company whose charter placed the government of the colony in the hands of a "careful and understanding council," nominated by the King. In 1619, the Virginia House of Burgesses held the first legislative assembly in America. This Assembly, which was the direct ancestor of all of the free assemblies of America, was composed of delegates elected from each of the eleven boroughs of the colony, and was a miniature House of Commons for Virginia. One Jefferson, whose descendant, Thomas Jefferson, a century and a half later wrote the charter of the United States of America, was a member. The delegates who made up this first assembly were not from the rank and file of the people, but were men of wealth and position. This aristocratic county family system developed the great Virginia leaders of Revolutionary times — the Washingtons, the Lees, the Randolphs. But the very year that saw the beginning of free institutions in America also witnessed the introduction of human slavery into the same colony, for in 1619, a cargo of twenty slaves was brought from Africa by a Dutch trading vessel and sold to the Virginia planters.

Virginia continued to develop her independent spirit

although she had much trouble with tyrannical governors. The most noted of these was Governor Berkeley, a stubborn reactionary, who for nearly thirty-five years opposed popular government in the colony. On one occasion it is said that he thanked God that there were no free schools in Virginia as there were in New England, nor any printing press, "because," he said, "too much education leads to sedition." But the Virginian colonists conducted their individual affairs with a healthy independence, as the hand of the royal governor was not strong enough nor long enough to restrict daily life on the scattered plantations.

During the Stuart period, owing to civil strife in England, a large number of Englishmen came to live in Massachusetts. In 1620, the Pilgrims—one hundred men, women and children—landed at Plymouth Rock after having drawn up the *Mayflower Compact*, in which they agreed solemnly and mutually to combine themselves into a body that would make all laws for the general good of the colony. In a word, they pledged themselves to obey whatever laws they themselves should make.

Beginning ten years later, between 1630 and 1640, ten thousand Puritans came from England to escape the tyranny of Charles I. They settled at Boston, Cambridge, Charleston, and other small towns situated about Massachusetts Bay. The members of these



THE SEAL OF THE STATE OF
VIRGINIA

Designed by George Mason

separate settlements, usually made up of a minister and his congregation, gathered in their meeting-houses not only for worship but for the conduct of worldly affairs. When the people came together for other than religious purposes, the gathering was a town-meeting. The unit, whether of Church or State, was called a township.

By the time of the Revolution, Massachusetts had become a group of little, self-governing republics in which all the people, with certain restrictions, had a direct voice in affairs both civil and religious. The legislative assembly for the entire colony was made up of delegates to the "General Court," a body that corresponded in many ways to the Virginia House of Burgesses. "Church and State" in the minds of the Puritans of Massachusetts were indissolubly united. Education was attended to primarily because, as members of the Church, the communicants must be ready to vote intelligently and to hold office. This made it necessary that everyone should know how to read the Bible. "Common" schools were therefore established for all the children, and "Latin" schools for prospective ministers.

It was in the democratic features of its government that Massachusetts differed greatly from the "county family" feature of Virginia. While Virginia bred leaders, Massachusetts and the other New England colonies developed sturdy popular interest in government and a practice in popular control which later stood the United States in good stead. When trouble with England drew toward the point of eruption, between 1765 and 1775, Massachusetts and Virginia formed the outer sides of the great wedge which was to push royal authority from the thirteen colonies.

In Massachusetts, the clash of ideals concerning the right of suffrage led to the founding of new colonies. Governor Winthrop and the other founders of Massachusetts feared a real democracy, believing that only the best trained men were wise and good enough to govern. Therefore they set up what really amounted to an aristocratic form of government, in which a little



Courtesy of Charles Scribner's Sons

HOOKER'S EMIGRATION TO CONNECTICUT

body of seven or eight men imposed taxes, made laws, and ruled the colony. The Reverend Thomas Hooker, pastor of Newton, held the more democratic view that the whole people ought to be governed by the whole people, provided they belonged to the Church.

The strife was heated and finally in 1636, Thomas Hooker led his own and several other congregations to the Connecticut Valley, a land of reputed fruitfulness and promise. Here, in 1639, the citizens of three

neighboring towns met and agreed to govern themselves by "The Fundamental Orders of Connecticut," a written constitution under which only church members were allowed to vote and to hold office. This was the first time in the history of government that a commonwealth was established by a written constitution. With a delightfully democratic carelessness, the document failed to mention the name of King in any part of its quaint and precise wording.

About the same time that Connecticut was settled, Roger Williams, a minister of Salem, was driven out of Massachusetts because he believed in the separation of Church and State and preached this "heretical" doctrine. To free himself from persecution, he bought a piece of land from the Indians and founded Providence. Here flocked persons of various heterodox religious views — among them Anne Hutchinson who could not agree with the Puritan ministers on questions of theology and who practised woman's rights by freely criticizing and discussing these matters in public. A charter was granted in 1643, which gave the inhabitants "full power and authority to rule themselves, as, by voluntary consent of all or the greater part of them, they shall find most suitable to their estate or condition." As no mention of religious test was made, it is needless to say that the Rhode Island Colony grew apace.

Maryland, under the Catholic Lord Baltimore, began its existence as an organized colony in 1634, with a liberal charter which was the first to allow religious freedom. Among the people of Lord Baltimore's colony, a fierce spirit of political liberty was combined with an ingrained respect for law and a strong tend-

ency to work out results not by violence but by debate.

New York, first settled by the Dutch, because of toleration in religious matters, soon became a place of refuge for the persecuted of all nations. By 1643, eighteen different languages were spoken in the streets of New York. The form of government was a representative assembly. In 1683, New York was transferred to the English and James II closed the assembly, placing New York under a royal governor.

The Carolinas have a curious and interesting governmental history. With astonishing generosity, Charles II by a magnificent gesture granted the land to a group of friends who employed the English philosopher, John Locke, to draw up a form of government. Locke wrote an elaborate plan called "The Fundamental Constitutions" for the Carolinas, which divided the land into provinces, counties, signories, and precincts. By this plan, the



STATUE OF ROGER WILLIAMS

lords, whom the proprietors had the right to create under the name of landgraves and caciques, were to own the land and govern it arbitrarily, without the co-operation of the common people. There were to be as many landgraves as there were counties and twice as many caciques and no more. There were to be leet-men and leet-women, bound for all generations to the land of their caciques. Eight supreme courts to deal judgment, capped the whole fabric. This outrageous document was formally accepted by the "proprietors" as fundamental law for the wilderness of the Carolinas. As might have been expected, the people refused to be governed by this ridiculous constitution which became the subject of dispute for fifty years.

The first settlers of Georgia came in 1732. They were released English debtors who, considered incapable of taking part in the government, were ruled by a board of trustees. Slavery and rum were prohibited and religious freedom, except for Catholics, was permitted. By 1752 there were three thousand four hundred white people in Georgia and one thousand one hundred blacks.

By the time of the founding of Georgia, New Jersey, Delaware, and Pennsylvania all had some form of legislative assembly, meeting more or less regularly. These three complete the list of the thirteen original colonies.

In 1648, the first attempt at union of the colonies was made by Massachusetts Bay, Plymouth, Connecticut, and New Haven when they formed "The United Colonies of New England" to protect themselves against the Indians and the Dutch traders on the Hudson. Rhode Island was left out because of her "irreligious" tendencies. This federation was made with-

out asking anyone's permission, the document explaining that they took this liberty "by reason of the sad distractions in England." The New England Confederation is of great interest, as the first league of American colonies made for a common purpose.

After the Restoration of the Stuarts in 1660, Charles II sent a royal governor, Sir Edmund Andros, to rule over New England, New York, and New Jersey. Considering the colonial charters too liberal, Andros attempted to seize them, but the precious documents were in some cases conveniently lost. The Connecticut charter was hidden in a hollow tree, the famous Charter Oak. The early colonials were bent on "hoarding the mouldy parchments," which guaranteed their liberties.

And so the story of the thirteen colonies goes — in some features alike, in others widely differing, but all with the same practice of popular control of government and all disciplined by contests with royal governors.

THE BREAK WITH ENGLAND

During all this time of settlement the colonies were not one in sympathy or spirit. They had grown up as separate and distinct commonwealths, and lacked any close bond of interest or government. But there were movements toward federation and during the years of the French and Indian War (1754–1763), the people of the colonies grew to have mutual respect for each other while at the same time leaders were developed, who a few years later, took the first steps toward independence.

The beginning of the strife that led to the final break between the thirteen colonies and England fol-

lowed this war. It was not a sudden thing — this breaking away from the mother country. It was rather due to a gradual change in ways of living and thinking and to differences in governmental institutions that had been transplanted to America. In America the tendency had set toward greater democracy; all the people were workers, who either actually toiled with their hands or were in administrative positions directing the work of others. There was no strictly leisure class.

It must be remembered also, that by the time of the Revolutionary War there were various nationalities in the colonies — Scotch, German, French, Portuguese, Swedes, and a large number of Irish. This mixture of liberty-loving people had a great effect on the development and spirit of American institutions. The old bottles of Constitutional forms, brought over from England, held the wine of a new nationalism, flavored and warmed by the composite essence of many other than English strains.

There was, moreover, among the colonists, even from the very beginning, a remarkable manifestation of inventiveness. This characteristic has persisted so continuously that the United States, as a nation, may be said to possess the art of finding a way to do things. Added to this original power of invention was a certain childlike daring and absence of fear that caused the colonists to rush into new situations in spite of evident peril and cost. These traits of character have helped to make the American a different type from the European.

In England, at this time, a great number of people were discontented as well as unrepresented in government. Parliament was in the hands of a narrow arist-

tocracy which did not or could not get the point of view of the colonists. In fact, by 1770, England and America had grown so far apart that they could no longer understand each other. What followed was inevitable. The people in the thirteen colonies had lived too freely and fully to be bound by laws not of their own making; they could not brook the interference of a ruler whose very existence they sometimes forgot or ignored, as did the makers of the Connecticut Constitution. It was not alone the tyranny of the English King and Parliament that caused the rupture, "it was the unquenchable determination on the part of the colonists to manage their own affairs." America was bound to be free.

The struggle over taxation without representation which occupies so large a space in the history of the break with England was but the outward expression of the deep-seated antagonism between the European idea that colonies exist to feed the mother country and must in no way endanger her manufacturing and commercial advantages, and the American idea — then a new and startling one — that colonies exist mainly for the benefit of the colonies themselves. That irreconcilable antagonism was the true cause of the American Revolution. Fortunately for the world the American idea won on this side of the Atlantic.

The triumph of England over France in the French and Indian War caused, in a measure, the loss of England's American colonies. The English government in the hands of a small group began to put into operation an aggressive imperial policy by enforcing old trade laws and adding new ones to make the colonies merely feeders of the mother country. Manufacturing was also restricted and the colonists forbidden to move

westward. Besides all this England asked for a direct contribution to help pay the war debt. No doubt George III felt that it was only fair that the colonies should bear their portion of the war debt, but instead of going at the matter of a just apportionment of the burdens of the war in the customary way, the King and Parliament decided to waive the custom of asking the several colonial assemblies to consent to the taxes imposed. Instead they put a general direct stamp tax on all the colonies. This famous "Stamp Act" was passed in 1765. The colonies at once showed that they were true to their traditions and training. Their English ancestors had fought, bled, and died, for the right of controlling taxation and these Americans, boldly declaring that they possessed the rights common to all Englishmen, refused to pay the tax. The little colonial assemblies bristled with rage and glowed with rhetoric, not at the amount of the tax, but at the violation of their "immemorial" rights. It was then that Patrick Henry made his "Caesar had his Brutus" speech in the Virginia House of Burgesses; it was then that Samuel Adams, John Adams, John Hancock, and James Otis opened the fight in New England, harking back for their precedent to Magna Charta and the Petition of Right.

Throughout all of the colonies, the greatest determination to resist the tax prevailed. Nor was it the "best people" that made the loudest protests. The comfortable, the well-fed, the respectable were aghast at the demonstrations of the "Sons of Liberty," local organizations of "common" people in nearly all the large towns who paraded the streets, burned the offending stamps, and irreverently pulled down the King's leaden statue.

Benjamin Franklin, who was in London at the time, told a committee of the Commons that the colonists would never submit to paying the stamp tax unless compelled to do so by force of arms. Massachusetts took the lead in calling a Stamp Act Congress to meet at New York. She found a ready second in Virginia. In 1775, delegates from nine colonies met, and following the English precedent, drew up a Declaration of Rights and Grievances which asserted that Parliament could levy no taxes without the consent of the people who paid them.

THE AMERICAN REVOLUTION

The Stamp Tax was repealed largely through the influence of Pitt, Fox, Burke, and other liberal leaders in the House of Commons. But the trouble was not settled, because Parliament insisted on the principle that England had a right to tax the colonists. In the words of Lecky, the English historian, "from this time the conduct of the government toward the American Colonies is little more than a series of deplorable blunders."

The Government suspended the colonial legislatures, laid taxes on articles of trade, quartered soldiers among the people, and refused to listen to the respectful protests of the colonists, who at first had no thought of breaking with England. During this crucial time, the colonies were brought together by the Committees of Correspondence, especially by the Massachusetts Committee, headed by Samuel Adams, and the Virginia Committee, whose chairman was Jefferson's chosen friend, the youthful Dabney Carr.

At last, in 1774, after the passage of the "Intolerable Acts" which closed the port of Boston, revoked

the Massachusetts charter, forbade town meetings and sent political prisoners to England for trial, the First Continental Congress, representing every colony except Georgia, met at Philadelphia.

The men who met in this first representative assembly of all the colonies, were local leaders who were fear-



LAFAYETTE

He fought in the cause of liberty for a country not his own

less and determined to make their case heard. They drew up another "Declaration of Rights" including a list of grievances; they denied the right of the English Parliament to legislate for them; they sent addresses to the King, to the people of Great Britain, and to Canada. These last were examples of effective early American propaganda calculated to break down the morale of the English army. As a consequence, George III found it hard to secure English soldiers and was

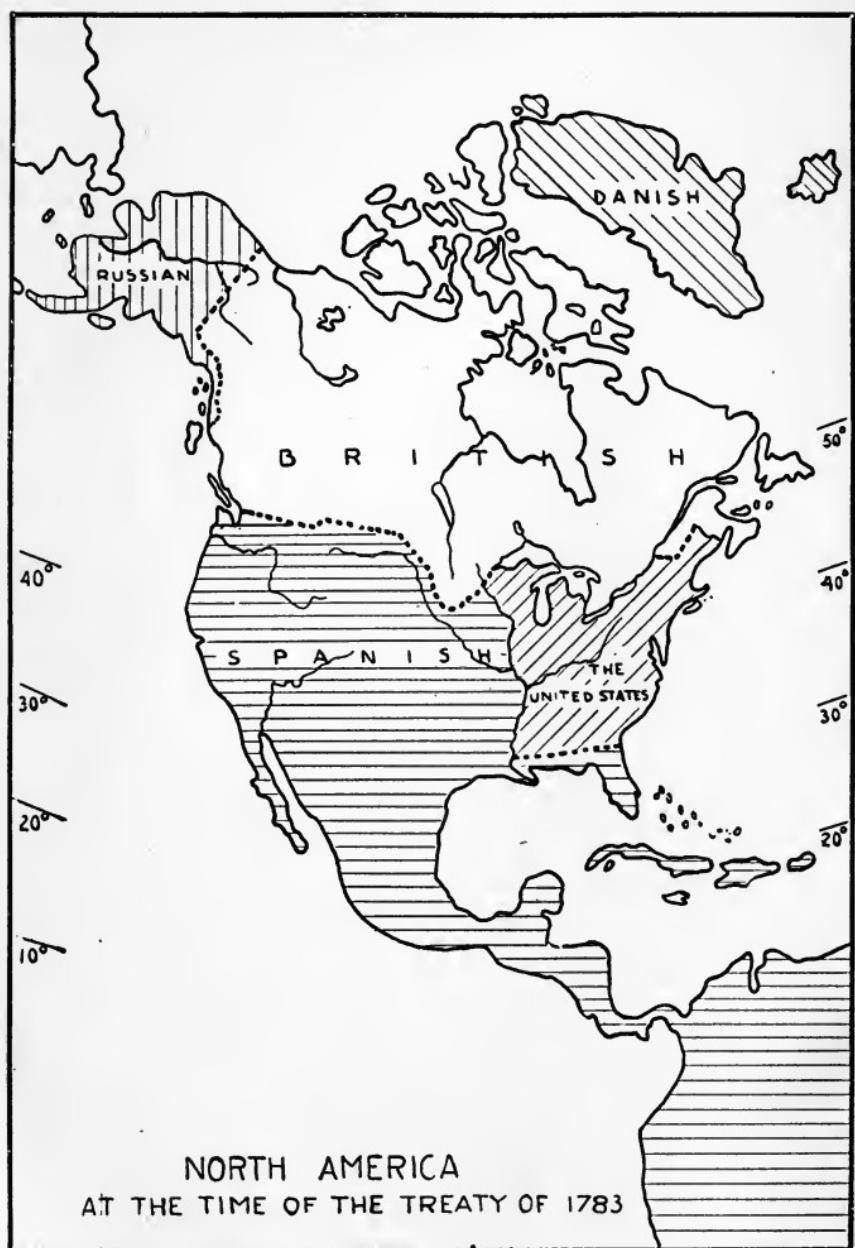
compelled to employ hired mercenaries from Hesse-Cassel. This action greatly enraged the colonists and helped to bring matters to a crisis.

The details of the struggle need not be told here. Every American knows the story of the American Revolution. Events followed rapidly — Lexington, Concord, Bunker Hill, the appointment of Washington as commander-in-chief, and finally *the Declaration of Independence*. As a result of these trying years of the war, the United States was recognized as an independent country, and a new and shining star took its place among the nations of the world.

THE CRITICAL PERIOD

It must not be supposed, however, that the Declaration of Independence with its "all men are created equal," was the expression of the general political practice of the colonies. It would be pleasant to believe, as many Americans do, that from the first Fourth of July every freeman in the United States of America had the right to vote and to hold office. But the facts will not bear out this comforting illusion. The right to vote, to hold office, and to sit in the legislative assembly was limited to those who held property, who paid taxes, and in most cases to those who professed certain religions. In 1776, of three million people in the thirteen colonies, about one-fourth of the males were cut off from voting because of property or religious disability, or because they were slaves. As is the case today a large percentage of those who were entitled to vote failed to take advantage of that privilege.

By the time of the Revolution there had grown up in the colonies a governing class — persons especially fitted to assist in government because of "excellence



in birth and education." This was true particularly in the South with its county family system. Fortunately, the more democratic training of New England helped to counteract these aristocratic tendencies. The success of the colonies in forcing the English government to acknowledge the new republic was the first step in the vindication on American soil of the principle *that the source of government lies with the people governed.*

But after the war was won, the colonies learned that peace has its struggles no less trying than war. The great test of the strength, courage, and sagacity of the citizens of the young nation came to them in the critical period just following the Revolution. During the war, the states had adopted the Articles of Confederation as a form of government. This compact was as unsatisfactory a form of government as can be imagined, giving no real strength to Congress, which while it could create an army, could not collect money to maintain it. In fact, under the Articles, Congress was merely an advisory committee wholly dependent on the co-operation of the state legislatures, and entirely helpless when they disagreed.

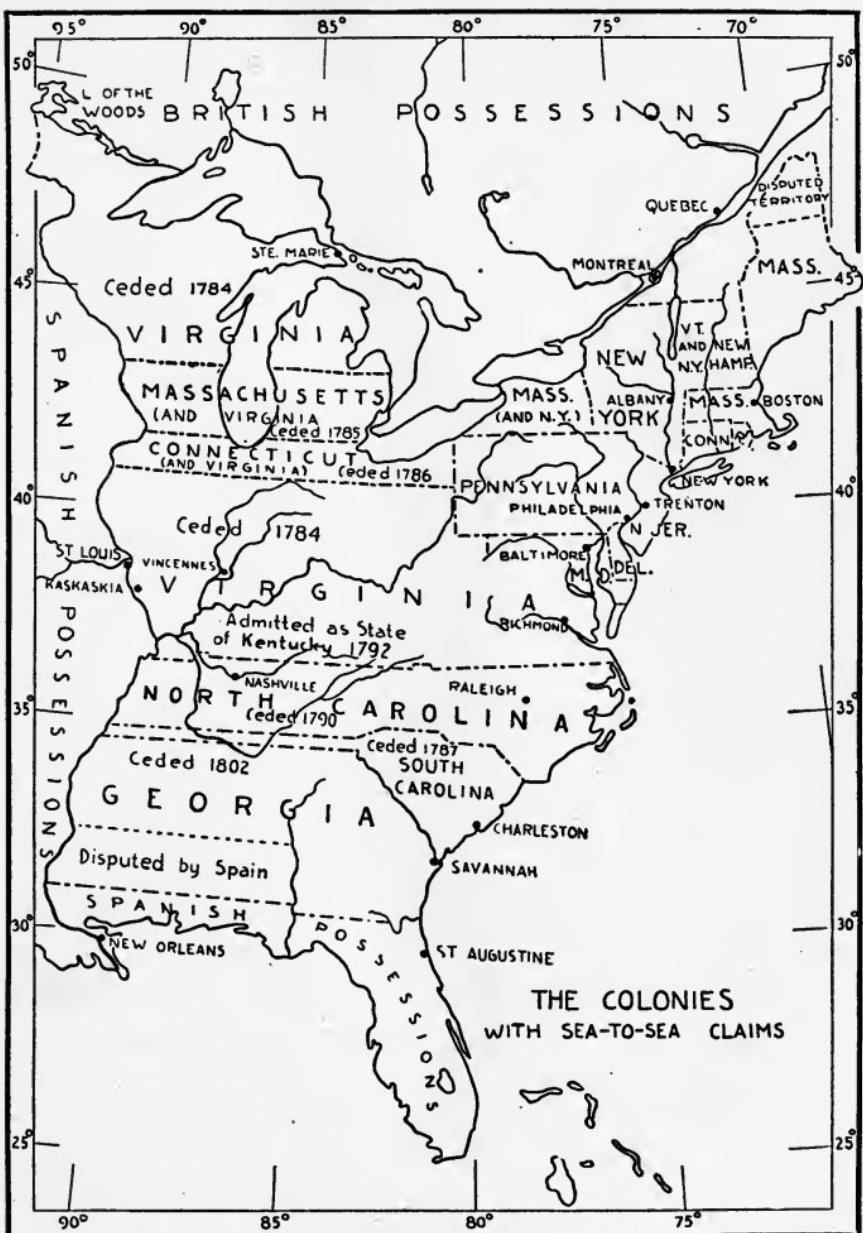
While the war was in progress, the states had responded fairly well to the demands of the central government, but when the heat of the struggle was over, a period of reaction came. While by 1781 every state had a Constitution, to which in nearly all cases was appended a Bill of Rights, the country as a whole was bordering on anarchy. The one thing that held the colonies together from 1783 to 1789 was the Western lands, the great tract of unsettled country lying beyond the Alleghanies. Maryland insisted that this territory become "common stock to be parcelled out by

Congress into free, convenient, and independent governments," and that the funds derived from the sale of the lands be used for *the common good*. The settlement of the question in this manner established for America a new and original colonial policy, and eventually opened up the way for permanent union of the states.

But for a time affairs kept going from bad to worse in spite of the common possession of the Western lands. Congress moved about from place to place and small attention was paid to it. The roadways and travel routes were no better than they had been in the Revolutionary days. Each state was building for itself. New York had her own little system of duties by which she bled her neighbors. Rhode Island was equally selfish in making restrictive laws, and other states showed a like spirit.

THE PERIOD OF CONSTRUCTION

The colonists were in a state of restless excitement; their early visionary hopes of unlimited wealth had begun to abate, while fear of a return to monarchy and the common ownership of all property increased popular unrest. The thinking men of the country felt that something must be done to protect individual ownership and to establish law and order. At last in 1787, matters became so desperate, especially in regard to trade regulations, that the memorable Constitutional Convention was called at Philadelphia to amend the Articles of Confederation. The Constitutional Convention met in May, 1787, and held secret meetings for four months. When the convention opened its doors after its final sitting, it gave to the



public, as the result of its labors, an entirely new instrument of government.

The Constitution of the United States did not bestow political equality on all white men, nor did the men who made it intend that it should do so. The governing class, from which the men of the convention were drawn, distrusted the leveling tendencies of a wide extension of suffrage. They believed that the common people were too ignorant to be trusted with a share in the affairs of government. Nor did the idea that woman would ever figure as a factor in elections occur to the doughty framers. It is interesting to note that because of the haste with which it was drafted, the Constitution of New Jersey had failed to limit suffrage to males. This omission was not corrected for fifty years, and during that period a few strong-minded, property-owning gentlewomen insisted upon their right to vote. Finally the constitution was amended and thereafter "females" were kept from the polls until very recent years.

GROWTH OF DEMOCRACY

At the close of the Revolution, no state of the thirteen gave unlimited suffrage to men. In 1802, the Constitution of Ohio, the first state to be carved from the Western lands, granted the privilege of voting and of holding office to all white males above the age of twenty-one who had resided in the state for one year and who paid state or county tax. This was a big step in the advance of popular government. Within the first forty years of the nineteenth century nearly all the states excepting the slave states of the South, attained practically manhood suffrage. The states which were admitted after the adoption of the Constitu-

tution imitated Ohio's liberal example; the older states followed. In 1830, during Jackson's administration, largely because of the now almost forgotten labor movement of those days, suffrage was extended to such a degree that the phrase "Jacksonian democracy" has remained to mark the period. Jackson also increased the power of the President by his liberal use of the Presidential veto. By this time property qualifications and religious tests had been removed, and direct election of state governors had become the rule. The "Sovereign People" now at last began to factor as the real power behind the government.

The War of Secession would seem to have completed the democratization of the whole country but, as a matter of fact, nine-tenths of the negroes in the South are at the present time disqualified from suffrage on one ground or another; and women, who have always made up more than one-half the adult population of the United States, were, for one hundred thirty-three years after the adoption of the Constitution, debarred from complete participation in the management of the political affairs of city, state, and nation.

The growth of a more thorough-going democracy in the United States was helped by many forces besides the development of the idea of popular suffrage. The free land in the west, the labor movements, and the growth of education were among these influences. While these movements cannot be separated at any one place from the events that accompanied them, they should be looked at by themselves in order that the history of our government may be better understood.

Strange to say, the House of Representatives in which the Constitutional Convention had unlimited faith has suffered a partial eclipse, while a trust in

the good sense and good will of the people has steadily increased. This growing belief in democracy has in fact proved to be the main influence in our government. 1840 saw the final disappearance from American politics of an open belief in aristocracy. If it remains a political tenet of any individual or party, it is wisely kept in the background.



THE CHARTER OAK

CHAPTER IV

THE GREAT DOCUMENTS OF LIBERTY

It is significant — significant of their own character and purpose and of the influences they were setting afoot — that Washington and his associates, like the Barons of Runnymede, spoke and acted not for a class, but for a people. It has been left for us to see to it that it shall be understood that they spoke and acted not for a single people only, but for all mankind.

Woodrow Wilson — July 4, 1918.

In the study of the history of the development of popular government, there occur again and again references to certain great documents of liberty which have been notable sign-posts on the road toward democracy. Indeed, the written word has from the very earliest times played an important and interesting part in that development. From the days when the caveman with skill in expressing his ideas in pictures or written characters wielded an influence over his stronger brothers, anything that has been committed to writing has attached to itself dignity and significance because of its fixed and permanent form.

The great documents that are of special interest to Americans are Magna Charta, the Petition of Right, the Declaration of Independence, the Constitution of the United States, and the Emancipation Proclamation. Every one of these five great state papers was the result of a crucial national struggle. They came into being because of the intrepid courage of bold leaders in the cause of freedom, men who contended for liberty with the eloquence of justice, in each case backed by

the opinion of a majority of the people of the nation which they represented.

MAGNA CHARTA, 1215

Magna Charta, the first of the great documents, is written in Latin and is well worth reading either in the original or in an English translation. It is an extremely business-like treaty of peace, for that is what it really was. There was nothing in it that was new. The laws set down were the customary laws for all Englishmen, but the placing of these laws in writing, on the demand of a portion of the people, was new and significant; for the barons claimed and secured the rights not only of nobles and churchmen, but of free-holders and merchants, of townsmen and villagers as well. The signing of Magna Charta marks the step from traditional laws, that is, from laws that are merely customs, to statutory laws, or laws that are written and sanctioned by the government. In fact, Magna Charta was the beginning of written and defined English law.

In the discussion of Magna Charta, two provisions are usually emphasized. One of these guaranteed the right of every freeman to a fair and prompt trial by jury on a definite charge, and the other gave to the Council of the realm the right to impose taxes. These two are, in truth, the great clauses of the Charter, though they were not considered of unusual importance to the determined men who coerced King John. The barons and the freemen of that time realized something of the weight of the first clause, which took from the King and his retainers power over the person of an individual, but no one had any idea of the future significance of the second, which made the King finan-

cially helpless unless the council which later came to represent the people approved of his expenditures.

But these two articles, weighty though they are, do not make up the whole of Magna Charta. As a matter of fact, the document is long, containing sixty-two articles and covering many pages. Most of it is of merely incidental interest and pertains to the relation of the barons and the king, to matters of inheritance, guardianship, and the payment of feudal dues. There are other articles, however, which have had a lasting influence. For instance, the statement in Article 17, that "common pleas shall not follow our court, but shall be held at any place," meant much to all Englishmen. Before this time claimants for justice had been compelled to move about after the king's court. After Magna Charta, the place of the courts was fixed and the immediate influence of the king removed.

Magna Charta contains a provision regarding the payment of debts to Jews; a provision for uniform measures — dry, wet, and linear; a provision standardizing the breadth of dyed cloth; and a provision prohibiting the unlawful forcing of towns and individuals to build bridges and embankments. One provision relates to the ownership of the tools of production, a problem that is one of the serious questions of our own time. The king, the sheriffs, and the barons were forbidden to take horses or carts from any freeman without his consent; nor was any freeman to be despoiled of the firewood which he had laboriously collected against the coming winter. One can readily imagine the lordly king's sheriff demanding the plow-horse or the ox-team of honest Hodge who perchance was at the time in the midst of harvesting.

A provision concerning the safety and security of

merchants coming into and going out of England was an early attempt at removal of unjust economic barriers. In the provision, "we will not make justiciars, constables, sheriffs, or bailiffs, excepting such as know the laws of the land and are well disposed to observe them," Magna Charta made the faint beginnings of the profession of law. By the provisions of Magna Charta the towns were secured in their privileges and protected against unjust taxation; they were confirmed in the right to regulate their trade and to hold municipal meetings.

Article 60, one of the great provisions of the Charter pointing toward democracy, reads: "Also all these customs and liberties aforesaid, which we have granted to be held in our kingdom, for so much of it as belongs to us, all our subjects, as well clergy as laity, shall observe towards their tenants as far as concerns them." This meant equal law to all freemen whether nobles or commoners.

Article 61 was the straw that broke the camel's back, as far as the King was concerned, for by its provision, John was put under the guardianship of twenty-five elected barons, and in case he failed to keep his promise, the "said five and twenty barons together with the community of the whole kingdom" could rightfully make war upon him, provided always his majesty's royal person was kept from harm. By this article, civil war was made legal. The document closes with the names of the "barones electi," De Clare, Albemarle, Glover, Hereforden, Robert de Vere, William Marshall, Richard of Percy, William of Huntingford, and the rest, the men whose strong task it was to see to it that the terms of the Charter were carried out.



KING JOHN IS FORCED TO ACCEPT MAGNA CHARTA 1215

The barons had John at their mercy, but they demanded no punitive indemnities, restoration, nor restitution. They stood firm to their demands for their own rights, and made safe to the tiller of the soil his ox and his wain; to the merchant, protection and sale; to the consumer, uniform weights and measures; and to all men, trial by jury on a distinct charge.

One may be sure that of all who witnessed that great scene at Runnymede, not one of the retainers and men-at-arms who stood idly about, not one of the frowning barons, not even the fearless and scholarly Langton, least of all John himself, was moved by prophetic warnings of the significance to future democracy of that written guarantee of the liberties of a people.

The barons believed in "openness of treaties, openly arrived at," and that "treaties should be made known in their entirety" to the rest of the kingdom. In the carrying out of this fair and candid policy, copies of the Charter were sent out to be sworn to in every hundred court and shire moot in the kingdom.

In the British Museum a priceless copy of the original Magna Charta is sacredly guarded. Blackened and discolored by time, it attests the indestructibility of a written promise which stands as the visible evidence of a solemn agreement made under oath. That Magna Charta was deemed an inviolable pledge of liberties is evidenced by the fact that during the greater part of the thirteenth century, the bishops twice a year in the great Hall of Westminster solemnly pronounced excommunication against

Who so lays his hand on these
England's ancient liberties,
Who so breaks, by word or deed,
England's vow at Runnymede.¹

¹ Whittier.

But in spite of the curse laid upon charter-breakers, Magna Charta was broken and renewed thirty-seven times, often, as was the case with Henry III, by the same King again and again. Nevertheless from 1215 to the present day, Magna Charta has proved a strong weapon against tyrannical oppression.

THE PETITION OF RIGHT — 1628

The "Petition of Right" which was signed by Charles I, the second Stuart, in 1628, more than four hundred years after Runnymede, was a bold and straight forward setting forth of the wrongs done to the people by their sovereign. It took up under eleven heads the grievances of the realm against the King; rehearsed the privileges of Magna Charta, especially in relation to the levying of taxes without legal authority; referred to the laws of Edward III, which specifically forbade false imprisonment; charged the King with direct violation of these and other rights; remonstrated against the billeting of soldiers in private houses, "against the custom of this realm"; and finally prayed the King "most humbly" to be "graciously pleased" to grant their "petition" by signing it. This virtual demand — for it was that rather than a petition — was written in English that seems very like our own, with little attempt at felicity of phrase, but with quiet dignity and sanity.

The Petition of Right, like Magna Charta, was wrung from the King by Parliament after years of determined insistence that that body and not the King was the source of power. Sir John Eliot showed no less valor than did Stephen Langton and again the bulk of the nation supported the attack on the prerogative of the King. The scene that preceded the sign-

ing is thus described in a letter of the time. "Then appeared such a spectacle of passions as the like had seldom been seen in such an assembly; some weeping, some expostulating, some prophesying of the fatal ruin of our kingdom. There were above a hundred weeping eyes, many who offered to speak being interrupted and silenced by their own passions."

At last the King gave way, and after writing the customary, "Let it be done as is desired," affixed his name to the waiting paper. At once there followed great rejoicing throughout the land; bells were rung, bonfires blazed, and London went wild with joy.

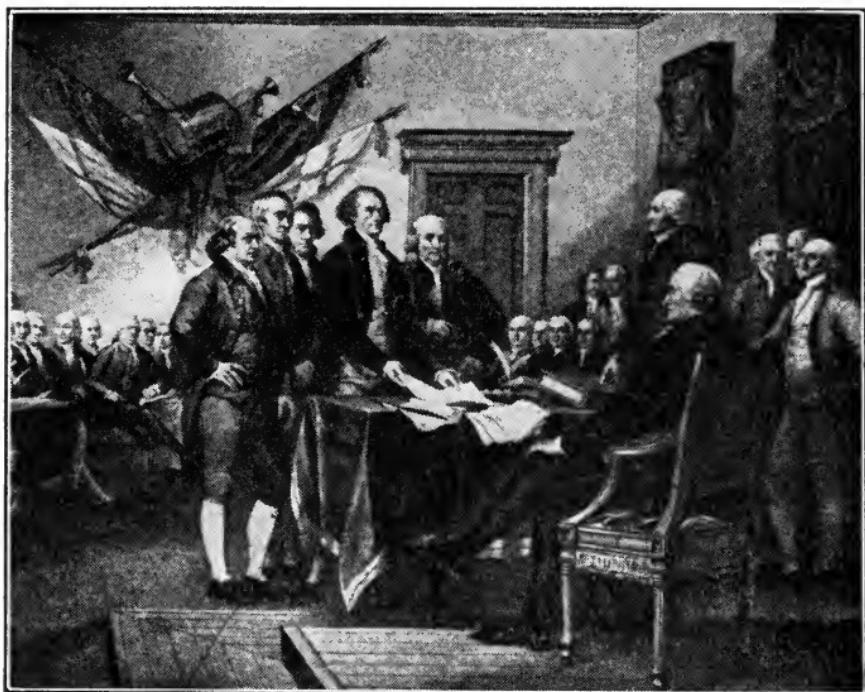
Magna Charta and the Petition of Right are the most precious of the Charters of English Liberties. Each granted or reaffirmed certain fundamental rights to freemen. The justice that these documents recognized was not for a class or a creed, but for all men. Because of this, they deserve to be remembered by every freeman.

THE DECLARATION OF INDEPENDENCE, 1776

When Thomas Jefferson wrote the Declaration of Independence, he was thirty-three years old. His account of the circumstances accompanying the making and adoption of this great state paper is modest and simple. "The committee for drawing the Declaration of Independence desired me to do it. It was accordingly done."

Jefferson put into the Declaration of Independence ideas that had been expressed in the Bill of Rights of the Virginia State Constitution earlier in the same year. Jefferson clothed these ideas of the rights of man and of the source of government in fitting and noble language, which, together with the dramatic man-

ner of its presentation to the world and the happy settlement of the issue, has made it a lasting heritage to all lovers of human liberty. When Jefferson had finished his draft of the Declaration, he showed it to the other members of the committee — John Adams,



Photograph from Underwood and Underwood

THOMAS JEFFERSON, WITH OTHER MEMBERS OF THE COMMITTEE ON THE DECLARATION OF INDEPENDENCE, LAYING DRAFT BEFORE THE CONTINENTAL CONGRESS.

From a painting by Trumbull in the Capitol at Washington

Benjamin Franklin, Roger Sherman, Robert Livingston. They made but few minor changes. Not so when the committee reported Jefferson's draft to the "Committee of the Whole." Every sentence was carefully scanned; every clause polished to perfection; not a word escaped scrutiny.

The Declaration of Independence, as it was adopted, after scrupulous changes and excisions, is a masterpiece of state-craft. It is direct, simple, business-like, dignified, and final. It opens with the familiar statement of the reasons for severing relations with Great Britain, thus publicly set forth because of "a decent respect for the opinion of mankind." The Declaration proceeds, in a nobly earnest manner, to lay down the principles upon which the colonies based their right to institute a new government.

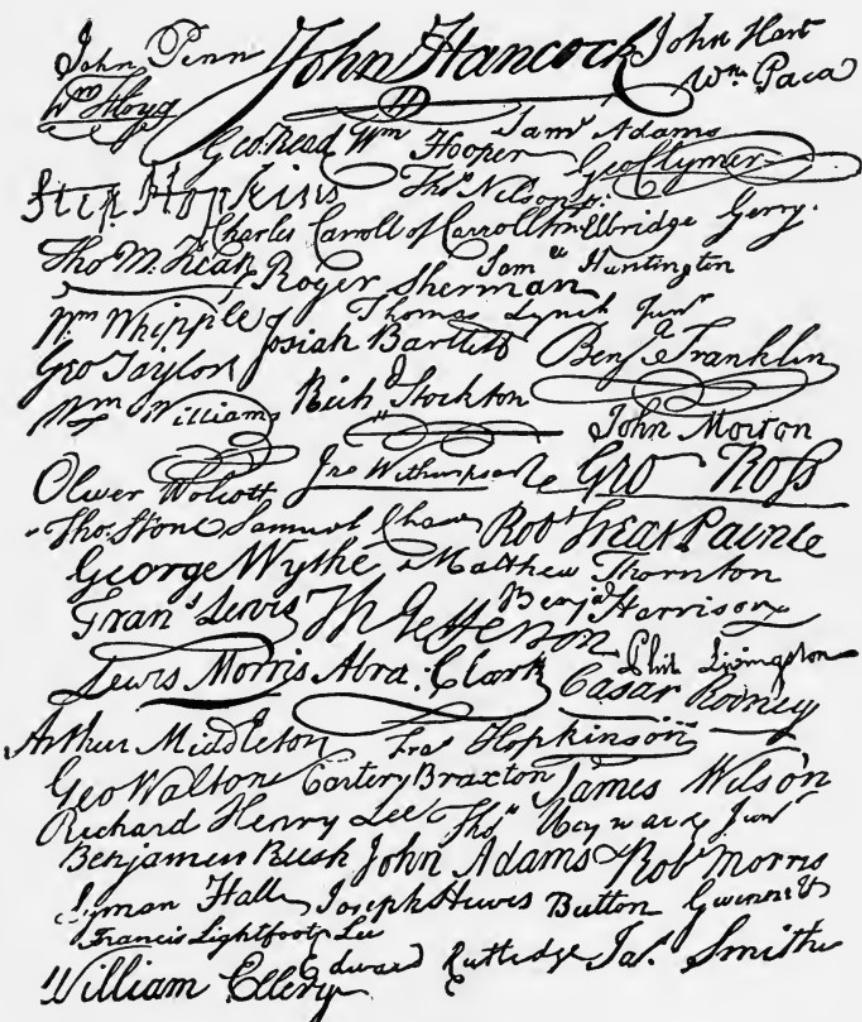
The chief of these principles, "Governments are instituted among men, deriving their just powers from the consent of the governed," is the great contribution of the Declaration to democratic government, "the sacred jewel" of the whole. Americans have long held it as the foundation principle of government; have held it as a theory, even though it has not always been realized in practice. But, like the Golden Rule, which men too often fail to follow, it yet remains a goal of fair dealing to be striven for.

The instrument goes on to acknowledge that "Governments long established should not be changed for light and transient causes"—but that under the policy of "Absolute Despotism" which had been persisted in by the English government, it has become the duty of the colonies "to throw off such Government and provide new Guards for their future security."

Then follows a list of specific charges against the "present King of Great Britain," published to a "candid world." According to the Declaration, George III had violated both Magna Charta and the Petition of Right, documents with which the well-trained men of the Continental Congress were thoroughly acquainted.

The list of grievances is followed by a paragraph

setting forth the repeated attempts of the colonies to gain redress: "In every stage of these oppressions we have petitioned for Redress in the most humble terms:



FACSIMILE OF THE SIGNATURES ON THE DECLARATION OF INDEPENDENCE

our repeated Petitions have been answered only by repeated injury." The Declaration hesitates not to register condemnation of the "British Brethren" whose

"native justice and magnanimity" had been appealed to in vain, but who had remained "deaf to the voice of justice and of consanguinity," an indifference and neglect which made it necessary that the colonies "hold them as the rest of mankind, Enemies in War, in Peace, Friends."

Into the lines of the "Enabling Act" which created the United States of America, Jefferson packed the whole of Magna Charta and the other great English documents of liberty. But he went much farther than those noble predecessors; he put forth a set of principles that America has ever since been trying to prove workable with steadily increasing promise of success.

In a greater degree than do Magna Charta and the Petition of Right, Jefferson's masterpiece shows a reserve, a dignity, and a sureness of grounds upon which the Signers took an unalterable stand. When they appended their names to the document they were not unmindful of the solemnity of the occasion. Those eighteenth century gentlemen in buff and blue coats, knee breeches, buckled slippers, and curled wigs were engaged in a desperate undertaking. They, like the barons of Runnymede, and the Parliament under Sir John Eliot, were arrayed against their acknowledged sovereign, but they, unlike the others, had reached the point where compromise was impossible. The vote for the Declaration was affirmative and doubtless the hands of the men who put their signatures to the great document trembled beneath their falling laces. The list at the end of the Declaration, headed by the boldly defiant signature of John Hancock, is familiar to Americans who scan the noble roll in the hope of finding some ancestral trace of their own names. For while it has proved a distinction to be a descendant of a Signer, at

the time of the Declaration, every man of them was a felon in the eyes of English law.

THE AMERICAN CONSTITUTION

But the Declaration, great though it be, is yet not the most precious documentary legacy to which Americans are heirs. The Constitution of the United States, the fundamental law of the land, must be placed above it as above any other document connected with American history. The narrative of its formation, the most important of its provisions, and the changes in interpretation that have been read into it, are matters which every American should know in full and complete detail.

THE EMANCIPATION PROCLAMATION, 1863

The one great stain on the Constitution by which "other persons" were denied the rights of man, was blotted out by the hand of Abraham Lincoln, when, in 1863, he issued the third of the great American Documents of Freedom. Lincoln knew from the very beginning of the war that he would have to deal a death-blow to slavery in order to insure success for the North; he but waited the right moment to act. After due consideration, he decided to go to the extreme length of his prerogative as Commander-in-chief of the army and navy, and hit "slavery hard" by setting the slaves free. He fully understood that the Constitution of the United States granted him no such specific power, but he deliberately assumed the power for an unprecedented act. By the advice of his Cabinet, he waited until the North should gain a signal victory. Antietam brought it in September of 1862. At once Lincoln issued a preliminary proclamation

which was approved by the House of Representatives as "a well-chosen war-measure," and an "exercise of power with proper regard for the rights of the states and the perpetuity of a free government." The public proclamation was issued January 1, 1863. This act made the name of Abraham Lincoln immortal.

The Emancipation Proclamation is a brief document without any of the grace of lengthened phrase that marks the Declaration of Independence. It is a Lincoln pronouncement, concise, clear, yet mellow. The word "slave" is not minced, nor is any excuse or palliation offered for the drastic act of Emancipation.

When he sent forth the great message to the world, Lincoln rightly trusted that the people of the United States would support his assumption of power. Surrounded by the members of his Cabinet which was divided in its support of him, the great President set his name to the state paper that was to be given to the world through the press. Nor for one instant did he falter, though he knew that his act would shake the nation to its very foundation.

"Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as commander-in-chief of the army and navy, in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion," the main clause of the Proclamation reads, and later continues, "and by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves are and henceforward shall be free." It closes: "And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military

necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God."

By the Emancipation, Abraham Lincoln freed the



THE GREAT EMANCIPIATOR

From a photograph of the Freedmen's Memorial Statue, in Lincoln Square, Washington, designed by Thomas Ball. The figure kneeling at Lincoln's feet represents Archer Alexander, at one time a fugitive slave.

slaves in the states and territories that were in rebellion. The generations of Americans that have followed have not revoked his act nor questioned the unusual use of his prerogative. The opinion of mankind gen-

erally has set the seal of approval upon his assumption of extraordinary power.

This completes the list of great historical documents to date. They form a noble heritage to be treasured and passed on to coming generations. They are the handwritings on the wall left by those who fought in the long battle of brain, mind, and tongue, often unnoticed and unapplauded, often hindered by the cutting criticisms of partisan or petty personal jealousy, or by strong political opposition. Such a strife requires as high a form of courage as that displayed where lead and steel deal out terrible death in a thousand grisly forms. For, when the roar of guns has been stilled, the legal battle must be carried on. The road leads up hill all the way and there can be no pause for rest if government by the people is to persist.

PRINCIPLES OF JUST GOVERNMENT

On October 26, 1918, during the last year of the Great War, there gathered in Independence Hall in Philadelphia a strange group of men, drawn to that cradle of Constitutional liberty by the memory of the past. They took their stations near the Liberty Bell, apparently believing with an almost pathetic faith that the very place would help them to carry out their steadfast, forward-looking purposes. They were men whose names smacked not of Anglo-Norman or colonial descent; not the De Clares, Percys, Huntenfelds, Bigods, and Marshalls of Magna Charta; nor yet the Hancocks, Lees, Franklins, Carrolls, Dickenson, and Adamses of the Declaration. There were gathered Thomas G. Masaryk of Czecho-Slovakia, Nicholas Ceglinsky of the Ukraine, Bogumil Voznjak, a Jugo-Slav, Vasile Stoica of Roumania, Gregory Zsatkovick of

Uhro-Rusin, and a number of others, representative of the oppressed nationalities of Central Europe — Bohemians, Slovaks, Poles, Ukraniens, Lithuanians, Greeks, Albanians, Italian Irridestists, Zionists, Armenians. Under the friendly protection of the Great Republic of the West, they set forth a list of noble principles for the settlement of the vexed question of the source of a just government of fifty millions of people from the chain of nations lying between the Baltic, the Adriatic, and the Black seas.

The Declaration made by these men laid down the principle that governments derive their just powers from the consent of the governed; that any people has the inalienable right to organize its own government; that kindred peoples should cooperate for common welfare; that a league of the civilized nations of the world should enter into a common and binding agreement to secure justice and peace for all men.

The Declaration rehearsed the wrongs suffered at the hands of autocratic dynasties; it mentioned many “ancient wrongs.” “We have been deprived of proper representation and fair trial; we have been denied the right of free speech, and the right freely to assemble and petition for the redress of our grievances; we have been denied free and friendly intercourse with our sister states; and our men have been impressed in war against their brothers and friends of kindred races.”

“Proper representation,” “fair trial,” “free speech,” “right of free assembly,” “right to petition,” “redress of grievances,” how often since the days of Magna Charta have the changes been rung on those worn phrases. These 20th century Framers were evidently students of the Great Historic Documents of Liberty of the English and the American peoples.

Their Declaration of the Rights of Nations was a fitting summary of the subject of popular government. And though since the Great War some of these very peoples have shown signs of a greed as rapacious and an intolerance as severe as that of any ancient or modern autocracy, the justice that they demanded for themselves in their days of evil fortune is the unchangeable justice that in the end must be accorded to all aspirant nations who desire liberty and a government of their own choosing.

CHAPTER V

THE MAKING OF THE CONSTITUTION OF THE UNITED STATES

We know what Master laid thy keel,
What Workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope!

H. W. Longfellow.

The Constitution of the United States of America did not have the dramatic birth of the Declaration of Independence. Its drafting was not the work of one man, but of half a hundred men. Even its wording had a composite origin. It was the product of the practical experience of statesmen with widely differing opinions, earnestly bent on making a form of government that would meet the varied needs of a great people and gain their united approval.

THE CONSTITUTIONAL CONVENTION

The Constitution was drawn up by representatives sent from the several states to amend the Articles of Confederation in such a way as to make possible a stable government of the new United States. In May, 1787, this Constitutional Convention met at Philadelphia in the hall where the Declaration of Independence had been signed. Wanting in the picturesqueness which set off that previous gathering, and shorn of the

glittering trappings that used to be associated with military pomp, the Constitutional Convention waged, nevertheless, one of the noblest conflicts in American History. The Convention was a remarkable gathering of notable persons, many of whom had been engaged in the perilous fight for independence since the days of the Stamp Act.

This great assembly was not a legislative body; it did not meet to make laws, it was merely a large committee selected for the purpose of presenting a plan which later might be accepted or rejected by the states. While it was the first assembly of its kind, it has since had hundred of counterparts in conventions for drawing up state constitutions, city charters, and similar organs of government. Such conventions are merely bodies of private persons with no legislative powers, whose work may be summarily rejected by the people for whom it has been so carefully made. Nevertheless an unofficial council of this sort is a necessary first step in planning for popular government in any new form.

It must be remembered that the men who made up the Constitutional Convention were not the plain men of the people, but rather, picked men of the young republic — the representatives of the great county families of Virginia, the tried leaders of thought in Massachusetts and the other colonies. Graduates of Harvard, of Yale, of Princeton, of William and Mary, of Oxford, of Glasgow, and of Edinburgh, were in the assembly. Among the delegates were seven governors of states and twenty-eight members, or former members, of Congress. The oldest delegate was Benjamin Franklin, then eighty-one years old; the youngest, Jonathan Dayton of New Jersey, a "stripling" of twenty-six.

In later years, these men became presidents, vice-presidents, justices of the supreme court, members of the president's cabinet, United States representatives, and senators.

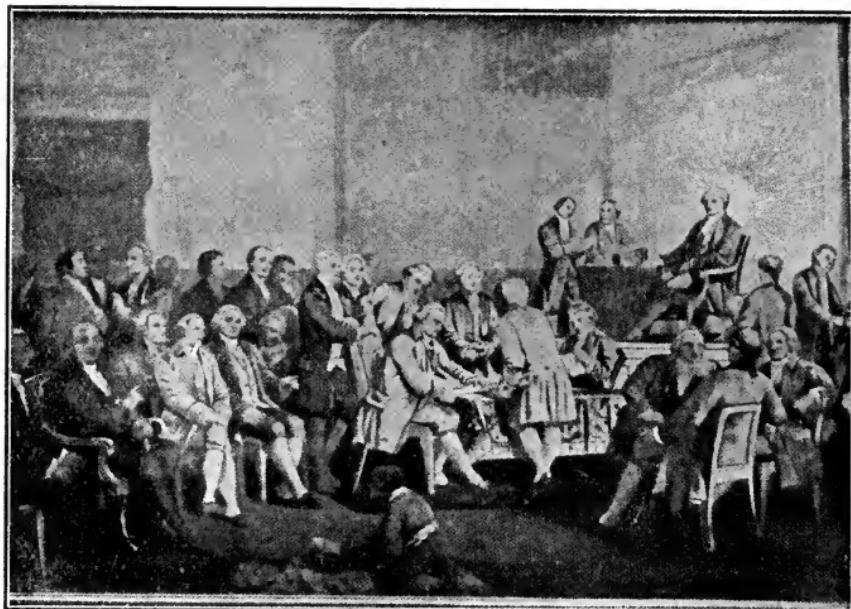
The official minutes of the proceedings of the Convention were kept by the secretary, but by far the best record was made by James Madison of Virginia. That not a word might escape him, this devoted patriot took a seat in the middle of the hall and every day for nearly four months, he wrote down in self-made shorthand, a faithful account of all that was said; every night, he undertook the tedious task of transcribing his notes into a journal. Madison did this, as his Journal states, that there might be an "exact account" of "the history of the making of a constitution on which would be staked the happiness of a people and possibly the cause of liberty throughout the world." This Journal, one of the precious documentary treasures of Americans, was found among Madison's papers and made public fifty years after it had been written, when all the men that had helped to frame the Constitution had long been dead.

THE LEADERS IN THE CONVENTION

Though all the members of the Convention were earnest patriots, there were certain of them who, by the power of their presence and attitude or by the logical force of their views, stood out as leaders. Washington was a fitting president. He was no debater, but, guided by cautious common sense, he made an excellent presiding officer. Moreover, his magnanimity and patriotism, his serene and unchanging balance of mind, the respect and honor which attached to him, were the very qualities needed in the moderator of

such a convention. He spoke seldom during the proceedings, but we may be sure that not a whisper escaped him.

As has been noted, Benjamin Franklin was the patriarch of the Convention, a very old man, weak in body, but with an unimpaired mind. He was the peace-maker.



Courtesy of The Macmillan Co.

SIGNING OF THE CONSTITUTION

From Channing's History of the United States

His genial temper and ready fund of appropriate stories more than once kept the assembly from going to pieces on the rocks of apparently irreconcilable differences.

One of the great figures of the Convention was Alexander Hamilton of New York. Hamilton was at the time a brilliant young man of thirty-three years. He had been a soldier in the Revolution, a member of Wash-

ington's staff, and was already a leader in politics. In the Convention, his logical, lucid setting-forth of the alternatives offered in any given case, his clear enunciation of principles, and his practical suggestions, afforded the greatest help in the formation of the Constitution.

James Madison, "The Father of the Constitution," was also a dominating figure. A native of Virginia, he was a Princeton graduate and had been in public life for a number of years. He was a man of well-balanced powers—sober, sane, sweet-tempered, generous, and kind. Yet, when convinced on a matter, he was stubborn and won his point by force of intellect, industry, and downright honesty. In manner, he was shy and prim, blushing like a girl in the heat of argumentation. He took part freely in the discussions and so clearly did he express his views that the other members "were enlightened while they were being convinced."

Gouverneur Morris of Pennsylvania was another of the delegates. Though he was a stout abolitionist and hater of slavery, he was not at all democratic. He feared the "leveling" tendency of government by the people and wished to check the "precipitancy, changeableness, and excess of the popular spirit." There were also present Rufus King of Massachusetts, searching and profound in explaining political principles; James Wilson of Pennsylvania, a staunch democrat who had signed the Declaration of Independence; Charles Pinckney of South Carolina; and Edmund Randolph, the "president" of Virginia.

Besides these nine men who exerted the greatest moulding influence on the Constitution, there were a number of other delegates who must be mentioned:

Roger Sherman of Connecticut, the signer of three of the Great American Documents — the Declaration of Independence, the Articles of Confederation, and the Constitution; Robert Morris of Pennsylvania, the financier of the Revolutionary War; John Dickinson of Delaware; John Rutledge of South Carolina; and George Mason of Virginia.

Mason of Virginia, Elbridge Gerry of Massachusetts, and the venerable Franklin were the most democratic men of the Convention. Most of the others leaned toward aristocratic ideals in government and wished to establish a government *for* the people, administered by the wealth and intelligence of the country. Such an attitude was natural to men who saw the need of a strong power to bring the country out of the chaos toward which it seemed to be going. They feared the excesses of the uninstructed mob. The period of reaction from the high days of the Declaration had set in.

Certain marked figures were absent — Jefferson was in France, as the American Ambassador to that country; John Adams held a like position in England, doing his best with George III, who naturally was not over-cordial; John Jay was occupied as Secretary of Foreign Affairs. There were others absent "on purpose" or without excuse — among them Patrick Henry and Samuel Adams, who refused to work in a cause with which they were not in sympathy. These men believed, as did many others, that the important unit of government was the State. They feared a strong central government. Richard Henry Lee of Virginia, who, besides the Declaration and the Articles, had signed the State Constitution of Virginia, might have signed the fourth great document of American freedom, but missed

that enviable honor because he, also, disapproved of the Convention.

Twelve states were represented in the Convention. Delaware, which came late, was the first to ratify the Constitution and thus redeem herself. Rhode Island sent no delegate.

The deliberations of the meeting were secret, and it was well they were. If the people at large had been informed of the almost daily crises, when the Convention seemed ready to fly to pieces, if they had realized how far apart in opinion the delegates sometimes were, it is doubtful whether outside pressure would not have caused a complete disruption.

THE DIFFICULTIES OF THE TASK

The delegates from the very first faced grave difficulties. They were gathered to draw up an instrument of government that would bind together the people of a widely scattered country composed of thirteen states varying in climate, occupation, and social habits. It needed to be suitable alike for people whose chief interest was trade; for those who were predominantly agricultural; for large states and small; for states with many slaves, and for states with but few "other persons" than freemen. In other words, the plan must be such as would be acceptable to a various people, to the fishermen and hill farmers of New Hampshire, to the merchants and ship-owners of Massachusetts and Connecticut, and to the landed proprietors of Virginia who knew nothing of work with their hands.

Yet, although there were many causes of discord, there were graver reasons for union. The people of the states and their representatives at the Convention

knew that some method of central control must be found, or individually the states were in danger of perishing. The dread of foreign powers was an important factor which helped to bring together the various interests. France on the west, England on the north, and Spain on the south, were uncomfortably near neighbors and the colonists were not anxious for a collision with any one of them.

There were other conditions in favor of a national life for the states. All the people spoke the same language; all were governed by the same English common law; all were accustomed to the management of their own affairs by elective legislatures; all were attached to local self-government; and all had a common pride in their triumph over England. "There were, moreover, no reactionary conspirators to be feared, for everyone prized liberty and equality. There were no questions between classes, no animosities against rank and wealth, for rank and wealth did not exist."¹

The delegates had one practical advantage much in their favor. They came from states where they had had a hand in making state Constitutions which had by this time been in operation for several years, and consequently they knew the elements of weakness and of strength in the state governments. Added to this training, was their previous experience in the Continental Congress and under the unsatisfactory "Articles," which kept the delegates from going to the extremes of experimentation.

These men were, moreover, well read in history, philosophy, and the law; they had studied with interest the development of the English Constitution; they knew the Petition of Right as well as Magna Charta; they

¹ Bryce.

were deeply versed in English jurisprudence; and they had, best of all, a vision of the future. In a word, the delegates to the Constitutional Convention were filled with the purpose of forming some plan that would put just and righteous government on a working basis. They were, therefore, ready to contend and amend and compromise and reconsider, until they should reach a fairly satisfactory agreement.

THE TWO PLANS

It was evident almost from the first that the original plan of the convention which contemplated amending the Articles of Confederation was impractical. Before long the delegates deliberately decided to exceed their authority, make a new constitution, and leave it to the states to justify or disapprove their action. Two plans were discussed. Randolph of Virginia brought in the Virginia Plan, which favored the large states and tended to a strong central government. The New Jersey plan, on the other hand, was favored by the small states, as by it each state, regardless of population, would have equal voting power in national affairs. This plan really amounted to an amendment to the Articles of Confederation.

The consideration of these plans threw the Convention into two contending camps. Three main difficulties developed, to overcome which the delegates made in the course of their deliberations three compromises. The first difficulty, that between the large states and the small states on the question of representation, was compromised by allowing equal representation of all the states in the Senate and representation according to population in the House of Representatives. The second difficulty, also one of representation, was between

slave states and free states. The South wanted the slaves to be counted for representation but not for taxes. This was compromised by allowing the South to count three-fifths of the slaves for representation. The third difficulty was between the agricultural states and the states engaged chiefly in trade. The states engaged in trade wished Congress to regulate commerce while the agricultural states feared central control and preferred to have each state make its own trade laws. This was compromised by granting to Congress the power of regulating trade by a majority vote and by allowing slave trade to remain open until 1800. These compromises were arrived at after nearly four months of patient — and impatient — verbal struggle.

There were times during the sitting of the Convention when it seemed that nothing could make the delegates come to any agreement. Indeed, certain indignant members "bolted," and went home, refusing to return. While the question of representation by states or by population was being discussed, the Convention nearly went to pieces. Thereupon Washington gave the members a strategic recess of several days that they might have time to calm themselves. In the end the cause of union was saved by good-will and compromise and a new species of government, partly federal, partly national, was proposed to the states for their approval.

The Constitution, founded as it was on compromises — a yielding here and an overlooking of principles there — held, for this very reason, the seeds of future strife. The members did not modify their opinions as a result of taking counsel; they were not converted to each other's opinions; they remained unconvinced and yielded merely in order to get some sort of practical result.

THE THREE COMPROMISES

Nevertheless it was the three great compromises that laid the foundations of our Federal Constitution. The first compromise, by allowing equal representation to the states in the Senate, won the small states to the new scheme, and by making population the basis of representation in the lower house, prepared the way for a strong and permanent government. This first compromise was Madison's great victory, without which nothing could have been effected. The second compromise which allowed three-fifths of the slaves to be represented won over the slave states. The third compromise, while allowing foreign slave trade to go on for twenty years longer, secured free-trade between states, and gave control of foreign trade to the federal government. This part of the road having been covered in safety, the rest of the journey was completed without danger of a complete breakdown.

The Constitution had two vital defects. One of these was a question of principle — the recognition of slavery. The other was a question of definition — the lack of a clear limitation of "States Rights," which should specifically deny the right of a state to withdraw from the Union. The delegates showed a guilty reluctance to use the word "slave." For seventy-seven years slavery existed without being mentioned in the organic law of the country, the word appearing in the Constitution for the first time in the Thirteenth Amendment. As for the question of States Rights, there is no doubt that, at the time of the adoption of the Constitution, it was generally understood that any state could withdraw from the Union if it so desired. It took the War of Secession to settle both these questions.

But it must not be forgotten that, after all, these two defects made possible a United States of America. If slavery had been cast out by the men at Philadelphia in 1789, no Constitution for a union of states could have been made. If there had been a clear statement to the effect that the central government was superior to the state government, or that the state government was superior to the central government, the votes of the members would probably have been about equally divided. Imperfect though the original instrument was, it has served to hold together our United States.

THE COMPLETED CONSTITUTION

The work of the Convention was, as Hamilton himself said, a compound of errors and prejudices as well as of good sense and wisdom. It was largely worked out from the actual experience of the framers, although some of its provisions had never been tried in practice. Thus the body that made the laws, was to have nothing to say concerning the constitutionality of the laws; and the executive branch which carried out the laws was to have nothing directly to do with the making and judging of the laws; nor was the judicial branch to be concerned in any way with the making or execution of the laws. Yet the President, as chief executive, was given the veto power on all laws passed by Congress; he was also allowed to appoint the judges of the Supreme Court, who hold their offices for life and sit in judgment on all the work of the law-making body; the legislative branch, through the Senate, was empowered to assist the President in foreign affairs such as treaties, the appointment of ambassadors, and like matters; while the Senate was declared the judging body in case of the impeachment of the President.

Whether the Senate, which until recently has not been controlled directly by the votes of the people, is a help or a hindrance to effective government has often been questioned. The men who made the Constitution considered it a helpful restraint on the House of Representatives. And again, whether this whole system of checks and balances always tends toward a better carrying out of the "sense" of the country, or whether the complete separation of powers is always desirable for the common welfare, are matters that have by no means been settled to everyone's satisfaction. The whole system was devised as a means of checking hasty and unwise legislation. If carried to its logical conclusion, this system might produce nothing more than a deadlock, which is at best a state hardly calculated to make the transaction of business easy.

The office of chief executive having had no counterpart in colonial assemblies, the members of the Constitutional Convention were at sea when it came to that matter. A triple executive, a sort of elective triumvirate consisting of three men, was suggested, but no action was taken on the suggestion. Roger Sherman proposed that an executive committee be elected from the House of Representatives, an arrangement that would have resulted in a system similar to the English Cabinet system. The proposal fell on deaf ears, as no one present realized that such a system might result in a more democratic form of government than one which had at its head a single executive elected outside of Congress. Many of the framers dreaded a king; others shuddered at the thought of a republican Cromwell. They all desired a dignified executive, with limited power. Finally, they decided on a "President,"

selecting the title because it contained no reminder of the hated royal governors.

As the makers of the Constitution had had but little experience with the office of chief executive, they had a very amicable time discussing the matter. The method of electing the President that was decided upon was an entirely new device, hitherto untried by any government. It was never intended that the people should elect the President directly, as it was thought that a select group of men could better judge the fitness and merits of candidates for the high office than could the mass of uninformed voters. He was to be chosen by "electors" who should get together and actually name the chief executive as a result of their own deliberations. The Constitution made no provision for party conventions which at the present time select the candidates for President.

After the members of the Convention had finally agreed upon the provisions of the Constitution, it was turned over to a Committee on Style of which Gouverneur Morris was Chairman. To him is due the precise and fitting wording of the Constitution, as it is recorded that he revised and "draughted the document with his own hand." When the Constitution was completed, the members that had stayed to the end, drew together and swore to defend the work of the Convention. Not one of them was completely satisfied with the result of their labors yet the thirty-nine who signed it stood by its ratification. Three refused to sign—Randolph and Mason of Virginia and Gerry of Massachusetts. The signatures represented twelve states.

The work of the Convention finished, the framers, relieved that something had been accomplished, yet doubtless fearful of how their work would be received,

smoothed down their laces, settled their wigs, put on their three-cornered hats, and, collecting their belongings, prepared to depart from Independence Hall. Their carefully constructed plan was still to be submitted to the suspicious and not altogether open-minded people of thirteen states.

So it was that the Constitutional Convention sent forth, not the amended Articles of Confederation to be ratified by all of the thirteen states, but an entirely new scheme of government. The members of the Convention behind closed doors had set afoot a very real revolution which awaited the approval of at least nine of the thirteen states to make it fundamental law.

RATIFICATION OF THE CONSTITUTION

The labor of the framers did not cease with the close of the Convention; the duty of securing ratification by the nine necessary states devolved upon them. This was not an easy thing to do for many true patriots were against the Constitution, some because the Convention had exceeded its authority, others because of the fear of kings. Madison and Hamilton defended the work of the Convention in a masterly set of essays which, collected as "The Federalist" papers, are regarded as among the highest authorities on constitutional law. A flood of pro and con pamphlets deluged the land—"Cato," "Agricola," "Rex," and "Veritas" became vociferous and even abusive. Poor unoffending James Wilson was burned in effigy, Madison and Hamilton were stigmatized as mere "boys," even Washington was called a "born fool," and Franklin "an old dotard." "We the people" instead of "We the states" lost the support of such men as Patrick Henry and Richard Henry Lee who fought hard against

ratification. Samuel Adams was brought over only by the expression of approval from the mechanics of Boston, a hesitancy on his part that later cost him the position of Vice-President. Jefferson, still abroad, was consulted by letter. He advised that a Bill of Rights securing personal freedom and protection of human rights be appended before the Constitution was

ARTICLE VII.

1. The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof, we have hereunto subscribed our names.

GEO. WASHINGTON,
Presidt. and deputy from Virginia.

NEW HAMPSHIRE.	PENNSYLVANIA.	VIRGINIA.
John Langdon, Nicholas Gilman.	B. Franklin, Thomas Mifflin, Robt. Morris, Geo: Clymer, Tho: Fitzsimons, Jared Ingersoll, James Wilson, Gouv: Morris.	John Blair, James Madison, Jr.
MASSACHUSETTS.		NORTH CAROLINA.
Nathaniel Gorham, Rufus King.		Wm. Blount, Rich'd Dobbs Spaight, Hu. Williamson.
CONNECTICUT.	DELAWARE.	SOUTH CAROLINA.
Wm. Saml. Johnson, Roger Sherman.	Geo: Read, Gunning Bedford, Jun'r, John Dickinson, Richard Bassett, Jaco: Broom.	J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.
NEW YORK.	MARYLAND.	GEORGIA.
Alexander Hamilton.	James M'Henry, Dan: of St. Thos. Jenifer, Danl: Carroll.	William Few, Abr. Baldwin.
NEW JERSEY.		
Wil. Livingston, David Brearley, Wm. Paterson, Jona. Dayton.		

Attest: WILLIAM JACKSON, *Secretary.*

ratified. Presently many states came in stipulating that this be done.

One by one the states signified their acceptance of the Constitution — Delaware the first and New Hampshire the last of the nine. Hamilton swung the New York convention into line by the power of his eloquence and logic amid the acclaim of the tallow-chandlers and the pump-and-block makers who marched the streets in honor of the "New Roof." At last, in 1789, with George Washington as President, the national government of the United States of America began to operate with the Constitution as the fundamental law.

CHAPTER VI

THE GOVERNMENT OF THE UNITED STATES

A majority, held in restraint by constitutional checks and limitations, and easily changing with deliberate changes of popular opinion, is the only true sovereign of the people.

The legitimate object of Government is to do for a community of people whatever they need to have done but cannot do themselves in their separate individual capacities. In all that the people can individually do as well for themselves, government need not interfere.

Abraham Lincoln.

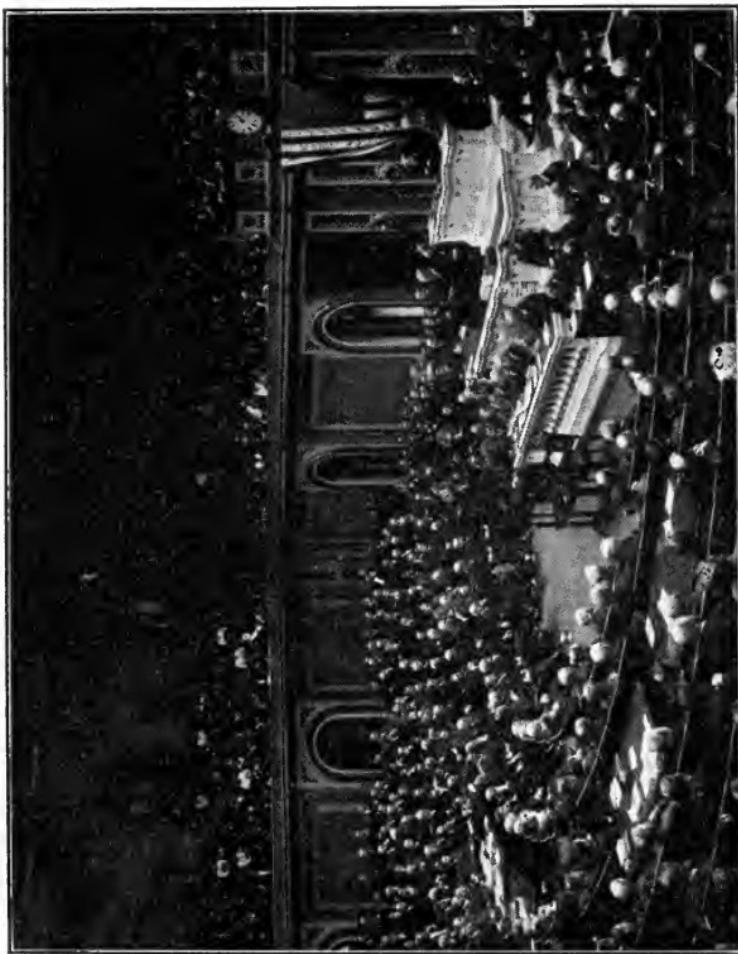
A study of the Constitution of the United States may well occupy a lifetime; for though the provisions of the great document seem fairly plain at first glance, their working-out in actual practice make up a complicated system that might often puzzle the boldest investigator. But plain Americans must at some time make a beginning of the study, if this government is to continue a government of the people. By all signs the present would seem to be none too soon.

NECESSARY DEFINITIONS

In order to compare our government with other "popular" governments the following primary definitions must be formulated:

A pure democracy is one in which every person in the unit of government takes part directly in the making of

PRESIDENT WILSON ADDRESSING A JOINT SESSION OF CONGRESS



the laws. No such political state is in existence to-day, as it would not be practical on a large scale. An ordinary school debating society is an example of pure democracy.

A republic is a form of government in which the people rule by means of representatives that they elect.

A centralized republic is one whose governing powers are all in one body. There may be divisions or provinces made by the central government for convenience in administration, but all legislation is enacted by the central government. France is a centralized republic.

A confederate republic is a mere league of sovereign states which deals and acts with states, not with individuals. The individual is taxed, judged, and bound by the laws of the state only. It is a sort of feudal system of government on a large scale. The South during the War of Secession — from 1861 to 1865 — was a confederate republic, as its name, "The Confederate States of America," indicated.

A federal republic, such as is the United States of America, lies between the centralized republic and confederate republic; it is a union of states, but it is also a nation made by the union of states. The individual owes allegiance to the nation and is governed by its laws. But the states are inviolable; that is, they have powers, rights, and authority of their own, which exist apart from the federal government and which the federal government cannot take away. No state, however, can pass laws contrary to the Constitution of the United States. The two facts that the state is a sovereign unit within a sovereign unit and that ours is a representative democracy, must always be kept in mind in any study of our Government.

PROVISIONS OF THE CONSTITUTION

The very best rehearsal of the provisions of the organic law of the United States is to be found in the document itself. The Constitution begins with the often repeated Preamble: "We, the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty to Ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America."

Article I of the Constitution deals with the legislative branch, the Congress. In this article the powers of Congress to make laws are distinctly enumerated and other powers are distinctly denied. The powers and restrictions of the states are also plainly set forth. The "immemorial" right of the popular assembly to originate bills for the raising of money is confined to the House of Representatives; the power of declaring war and of raising and supporting an army and navy is delegated to the Congress as a whole, not to the President; the power of impeachment is vested in the Senate. This power of impeachment, which in practice can seldom be resorted to, is the only provision made in the Constitution to insure responsible officers.

At the end of Section VIII, Article I, after the enumeration of the specific powers of Congress, occurs the renowned "elastic" clause which has been stretched and contracted to suit the particular needs of particular policies many a time. It is as follows: "Congress shall have power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Con-

stitution in the Government of the United States, or in any department or officer thereof."

Article II deals with the executive branch, the President. Of him alone was it stipulated that he should be a native of the United States or a citizen at the time of the adoption of the Constitution. This last was written with Hamilton, James Wilson, and Robert Morris — all foreign-born — in mind. The exact words of the oath of office in which the President solemnly swears to protect and defend the Constitution of the United States are given in this article as are the "powers" and "duties" of the chief executive.

Article III deals with the judicial branch, the Supreme Court of the United States and such inferior courts as Congress may from time to time ordain and establish according to the Constitution. The Supreme Court of the United States consists of the Chief Justice and nine associate justices — whose duty it is to define the meaning of the federal laws by rendering decisions in cases which arise under the Constitution. It has original jurisdiction — that is, the proceedings are taken up directly in the Supreme Court — in all cases affecting ambassadors, consuls, and other public minister, and in those in which a state shall be a party. It has appellate jurisdiction — that is, in cases of an appeal from a decision of lower courts — in many specific cases.

In Section III of this Article occurs the following definition: "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on open confession in court."

Article IV deals with the relations of a state to the other states and to the United States, provides for the government of territories, and guarantees a republican form of government to the separate states.

Article V, which concerns amendments, states that the proposal for an amendment must come from two-thirds of the members of both houses of Congress, or on application of the legislatures of two-thirds of the states for a convention to propose an amendment. It further provides that the proposed amendment shall become a part of the Constitution when it has been ratified by three-fourths of the states.

Article VI sets up the Constitution as the supreme law of the land and prescribes that all governmental officials shall be bound by oath to support its provisions.

Article VII provides that ratification of the Constitution by nine states shall be sufficient to establish the Constitution as the law of the states ratifying it.

Since the adoption of the Constitution that venerable document of liberty has been amended nineteen times the two latest being the "dry" amendment and the woman suffrage amendment.

AMENDMENTS TO THE CONSTITUTION

The first ten amendments, adopted in 1791, contain what is in reality the Bill of Rights which the states, under Jefferson's advice, insisted on having added to the Constitution. They provide that Congress shall make no laws denying freedom of speech, or of the press, religious freedom, freedom to assemble, and freedom to petition. They guarantee freedom from arbitrary arrest and imprisonment, and a speedy trial on specific charges. They also specifically forbid excessive bails and fines, and the quartering of soldiers in

private houses in times of peace. In a word, they summarize, up to that date, the results of the struggle for human liberty.

The eleventh amendment, adopted in 1798, established the sovereignty of a state in judicial affairs relating to itself.

The twelfth amendment, passed in 1804, changed the method of presidential elections, to make it possible to have the President and Vice-President of the same political party. Before the passage of this amendment, the candidate who received the greatest number of electoral votes became President. The one receiving next highest became Vice-President. Thus, when John Adams, a Federalist, was President, Thomas Jefferson, an Anti-Federalist, was Vice-President.

The memorable thirteenth amendment, passed in 1865, prohibited slavery in the United States.

The fourteenth and fifteenth amendments, passed in 1868 and 1870 respectively, placed negroes on the same basis of citizenship as white persons.

The sixteenth amendment, passed in 1913, allowed Congress to levy an income tax.

The seventeenth amendment, passed in 1913, provided for popular election of Senators.

The eighteenth amendment, passed in 1919, forbade the manufacture and sale of alcoholic liquors in any part of the United States after January 16, 1920.

The nineteenth amendment, which was written by Susan B. Anthony shortly after the War of Secession, reads as follows: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex." This amendment was proclaimed law August 26, 1920,

after nearly seventy years of effort on the part of its advocates.

The Constitution of the United States, with the exception of the nineteen amendments that have been rehearsed, stands exactly as it was adopted. After it became the fundamental law, it was whole-heartedly accepted and for over one hundred years scarcely questioned. Never did a people with such good-humored unanimity accept the decision on so fundamental a question and settle down so cheerfully to live and die under its provisions.

CHANGES BY INTERPRETATION

But the operation of the government according to the provisions of the Constitution never has been easy to carry out, for the Constitution in operation has proved a very different thing from the Constitution of the books. Even a slight study of our history and institutions will show that the government has not worked out exactly by the rules laid down. It has been necessary to change the Constitution not only by formal amendment, but also by interpretation, by usage and custom, and by devices new to government.

In consequence of the continually increasing activities of modern life, it is not at all strange that it has been necessary to make great changes in the fundamental law upon which the government of this great country is carried on. To have this fact brought home, one has but to think of the increase in wealth, in business, and in commerce; the virtual revolutions in methods of manufacture, the introduction of the railway, the telegraph, the telephone; and all the other bewildering innovations that have crowded the century and a third since the adoption of the Constitution. While in

1787, it took six perilous days to go from Boston to New York, it now takes scarcely so long a time, with infinitely less discomfort, to make a trip from Portland, Maine, to Los Angeles, California.

Except for the awful War of Secession, the modifications in the Constitution have been made peaceably, sometimes by practices initiated by officers of government, sometimes after slow years spent in educating the popular will; they have come sometimes by interpretation, sometimes by the unquestioned decisions of the Supreme Court; sometimes they have been wrought out in heated political strife; only once in a deluge of blood.

The position of the Supreme Court has caused it to have a very vital influence in settling the meanings of the Constitution. As every law enacted by Congress must be in harmony with the principles laid down in the Constitution, it is the duty of the Supreme Court to pass upon the constitutionality of the laws. If the Court finds a law to be out of harmony with the fundamental law, it is declared null and void. Nothing but a change in the Constitution or a new interpretation by the Supreme Court can then remove the barrier of illegality. The decisions and interpretations of the Supreme Court during the first half century of the new republic had a powerful influence on the actual working out of the government.

It is not the Supreme Court alone that has been active in interpreting the Constitution,—statesmen and political parties have had a hand in the business. Almost as soon as the Constitution was put into operation, questions arose concerning the legal right of Congress to make laws for purposes not expressly mentioned in the Constitution. It was claimed that there were other

powers "implied" in the Constitution; both in the preamble, which defined as one of the purposes of the Constitution "to provide for the general welfare," and in the "elastic" clause, which empowered Congress to make all laws which shall be necessary and proper "for carrying out the provisions of the Constitution." Thus at once political leaders and their parties became "loose" or "strict" constructionists, as it suited their purposes. In the later history of our government, these clauses have been stretched to allow the regulation of interstate commerce by establishing railroad rates and by the enactment of the Pure Food Law which forbids the adulteration of foods. Though the elastic clause supplies a dangerous method of virtually amending the Constitution, it has been used in all cases for the "common good" of all the people in the United States.

CHANGES BY PRACTICE

Not only have the provisions of the Constitution been variously construed, but practices unauthorized by the Constitution have become part and parcel of the practical law of the land. One of these practices has to do with the President's Cabinet, whose members assist him in carrying on the government. There is no provision in the Constitution for a President's council, but from Washington's time the President's Cabinet has been a feature of the Federal Government. At first, members once appointed continued to keep their portfolios even when a new President was elected. But when Adams became President, the position of Secretary of State was held by Pickering, a warm admirer of Hamilton, Adams' enemy. Before the end of that administration, every one saw that each President must appoint his own Cabinet if there was to be harmony in the official family of the Chief Executive.

This thoroughly justified change of practice was the real beginning of the corrupting "Spoils System." At first, revenue officers — postmasters, marshals, and other officials — retained their places during good behavior. But soon, because of the President's power of appointment, changes began to be made with each administration, while the number of new appointments



Photograph from Underwood & Underwood

A RECENT NATIONAL CONVENTION FOR SELECTION OF PARTY CANDIDATES

was gradually increased. Finally Andrew Jackson, who acted on the motto, "to the victors belong the spoils," began the practice of the wholesale clearing out of offices for new incumbents at every change in Presidential politics. Nearly 200,000 men — a vast host of office-holders — are now appointed by the President. This "power of appointment" is the President's chief source of political influence; it makes him truly an elected king with a limited reign. Civil

service reform had done much to clear out the spoils system, though the practice of rewarding political henchmen with "political jobs" is yet far from being out of fashion.

Though the electoral college was designed actually to elect the President, Washington had hardly been seated when the country began to fall into political parties — the Federalists and the Democrat-Republicans.

By 1800, party members of Congress met *in caucus* to name presidential candidates. This continued until about 1830 when popular revolt against this narrow control led to the holding of National Party Conventions to select party candidates for national offices. Thus, almost from the first, the Electoral College has been a merely formal institution.

The framers of the Constitution showed a decided aversion to paper money in any form, a clause prohibiting such an issuance being left out only because it was thought to be entirely superfluous. Yet in 1862, the United States issued paper money as legal tender, an act which, if the spirit of the framers of the Constitution was considered as binding, was certainly unconstitutional.

THE STATES AND THE FEDERAL GOVERNMENT

The greatest problem of the men who made the Constitution was to adjust the relations between the states and the central government so that each might have power to do its proper work without hindrance from the other. This was accomplished by establishing what amounted to two governments of the people in each state, "each in its own sphere, each supporting the other, and neither interfering with the other's affairs." Thus, a citizen of the United States owes double allegiance — to his country and to his state. The War

of Secession settled and forever silenced the question of whether or not the Federal Government has the power to compel the people of the states to obey the laws which they, the people of the United States, themselves make.

To the American of the present time, the fact of state and national allegiance is scarcely realized. Yet, though the citizen ordinarily does not realize it, the state claims control in many more particulars than does the nation. All family relations—marriage, divorce, inheritance, education—all property and industrial conditions, criminal law, and suffrage, are under the immediate control of the state.

Although the Constitution specifies the powers of Congress and the powers of the states and later on definitely denies certain other powers, there is, beyond the permissions and the denials, a wide range of lawful latitude. Thus "Congress" according to the first amendment, "shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." This does not forbid the states from "prohibiting the exercise thereof"; in fact, in many states for a long time after 1787 religious tests were applied. There is nothing in the Constitution to prevent Minnesota from establishing a state church. The constitution of Minnesota, however, as of all the other states, does specifically forbid such a law.

CONGRESSIONAL GOVERNMENT

The United States Congress, until very recently, made all laws independently of the President, whose only "check" on them was his veto. In the actual carrying out of legislation, both houses are divided into a large number of committees to which the various bills

are "referred." The committees consider the bills and bring up those that they "approve" for discussion and possible enactment. Any member of Congress can present a "bill" and while, of course, most of the bills are "killed" in committee, unnecessarily vast numbers are brought before each session of Congress. In the discussion of bills the members of the House of Representatives are restricted to definite limits. Until recent years the Speaker of the House wielded autocratic power over debate but of late his prerogative has been distinctly curtailed. Thus the government of the United States has grown to be a government by committees in which no one is particularly responsible to any one else. In other words, the Constitution of the United States has failed to provide for the very important feature of "responsibility" in government.

This method of congressional government, or government by committee, as it is in use in the United States, may be better understood when contrasted with government by cabinet or by a responsible ministry such as is in use in Great Britain. The difference between the two methods may be shown by a comparison of the financial systems of the two countries.

OUR FINANCIAL SYSTEM

In England the finances of the government are managed in a careful and scientific manner. The Chancellor of the Exchequer prepares an exact report of the expenditures of the year, giving the source of revenue and the income derived therefrom. This report shows on its balance sheet the deficiency or the surplus which must never vary more than \$100,000 from the amount raised. Then from the heads of bureaus and departments, he gets most carefully itemized estimates

of the proposed expenditures for the ensuing year. After the report has been thoroughly revised by the cabinet, the Chancellor reports on sources of taxation and proposes various methods of raising revenue. The whole report is then printed and embodied in a bill, the "Budget" for the coming year, which the Chancellor introduces into the House of Commons where he works with might and main to have the measure passed.

In the United States the Secretary of the Treasury makes a report of the expenditures of the preceding year. Thus far the report is exact. Then he makes what is often a very much inflated estimate — based on recommendations from the heads of departments — of proposed expenditures for the following year. He adds suggestions for raising the money and sends the complete report to the House of Representatives. There his connection with the legislation on finances ceases. The Committee on Ways and Means then takes charge of raising the money; but once it is raised, they have nothing to say about spending it. The debit and credit sides of our government have little connection. The spending of the money is intrusted to nine or ten different committees. Any member of Congress can bring in a bill asking for an appropriation. From this general grab-bag method of procedure, in which no one person or group of persons is responsible for expenditures, enormous waste results. Because our tariff is not for revenue alone, but for protection also, the amount raised has nothing to do with the amount to be spent, and the task is to find ways of spending the money. In fact, the national financial system of the United States is about as bad as it well can be. Only our immense wealth and great good-nature have allowed this system — or lack of system — to continue. Noth-

ing of all this appears in the Constitution; it has gradually and unconsciously "happened." The introduction of a "budget" system is one of the questions that is, at the present time, frequently and vigorously discussed in Washington.

IMPORTANCE OF THE PRESIDENT

Because of the great size and consequent clumsiness of our legislative body, because of the growth of the volume of government business, because of the great number of technical questions that are constantly arising, and, above all, because of the demand for speed in getting business done, there has, of late years, been a great rise in the importance of the President, an official whom the framers wished to be merely a sort of spokesman for Congress. The men of the Constitutional Convention would indeed be horrified at the wreck that has been made of their delicate and ingenious system of checks and balances, and at the influence which the chief executive of the United States now wields. He is not only the leader of his party in the government but he is truly the tribune of the people—the one person in the United States, who, if he so desires, can command the attention of all the citizens of the country every morning in the year.

A great impetus toward this overpowering influence of the President was given during the administration of Theodore Roosevelt. It has continued and grown since that time largely in the interests of efficiency. It has become necessary that things should move and the President, being the one man always at his post of duty, has been forced to take the reins of government into his own hands and drive the governmental chariot, no matter how rough the road may be.

On the opening of Congress the President in his message "on the state of the country" presents before the two houses the measures that he wishes to have passed for what he conceives to be the common good. This message goes to the country on the same day that Congress receives it. The people of the nation watch the progress of the bills that are introduced. If they are going wrong or if outside interests are unduly influencing legislation, the President can sound the alarm to the country and thus drive the lobbyists out of the field or into darker corners.

The measures that the President advocates are generally put through. President Roosevelt used the "big stick" to accomplish that purpose. Even President Taft, naturally of a judicial and slow-moving temperament, was once compelled in the last month of a session to crack the whip over Congress and virtually drive through the measures that he had advocated in his annual message. President Wilson carried the President's influence still further. He cast aside the custom of sending written messages to Congress and, as was Washington's usage, appeared in person to address the National Legislature.

The influence of the President of the United States is to-day the most striking feature of our government. He is the leader of the government if not the leader of the nation. This centering of the business of conducting the government in the hands of one man makes for greater "simplicity, directness, and strength" and, in a sense, supplies that feature of ministerial responsibility to the popular will that our government has lacked. It is, therefore, increasingly important that really great leaders be selected to run for president that the right men may be chosen for this high office.

GROWTH TOWARD DEMOCRACY

In looking back over the history of the modifications that have been made in our government, not only by amendment and interpretation but by new practices, it appears entirely evident that the changes, taken as a whole, have brought the Federal Government much nearer the people than it was at the beginning and have thus helped to build up a greater realization of nationhood.



Courtesy of Allyn and Bacon

THE FIRST PHILIPPINE ASSEMBLY, 1907

The process, however, is by no means completed and ways are constantly being sought to more justly express the popular will. Among the plans recently devised to bring about a more direct control by the people, are the *initiative*, the *referendum*, and the *recall*. These have been introduced, not only in city governments, but in many state governments. The initiative enables a group of citizens to bring a desired measure before the legislative body, without the necessity of waiting for its presentation by a legislator; the referendum calls for ratification by the people of any measure affect-

ing them; the recall "is the gun behind the door," which secures responsible officers of government by making it possible to unseat an unsatisfactory official by a vote of the people who elected him. The efficacy of these new schemes for expressing the popular will has not as yet been fully proved, but they at least show the fundamental desire on the part of the vast majority of the people of the United States to make the government of this country really and truly a government of all the people.



Photograph by Clinedinst.

The Lincoln Memorial, Washington,
D. C.

The final and complete statement of
the ideal of American Democracy:
"A government of the people, for the
people, and by the people."

CHAPTER VII

GREAT MOVEMENTS THAT INFLUENCED POPULAR GOVERNMENT IN THE UNITED STATES

Forever alive, forever forward,
Stately, solemn, sad, withdrawn, baffled, mad, turbulent, feeble,
dissatisfied,
Desperate, proud, fond, sick, accepted by men, rejected by men,
They go! they go! I know that they go, but I know not where
they go,
But I know that they go toward the best — toward something
great.

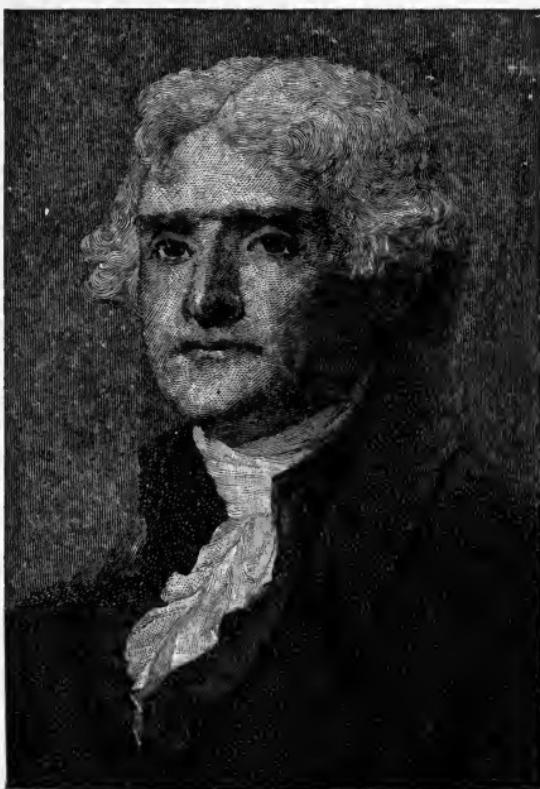
Walt Whitman.

Among the factors or movements that have interacted upon each other and upon the constitutional growth of the government may be noted the rise of political parties, slavery, the tariff, the westward expansion and free land, the industrial revolution, the growth of labor and labor unions, and the extension of popular education. These movements have not been distinct and separated streams of influence; they were, rather, indistinguishably mixed in the current of American affairs. But because they have given a recognizable color to the onflowing life of the government of the people, it is helpful to consider separately each of these determining features of American development.

POLITICAL PARTIES

Political parties began to be formed almost as soon as our government was established. The division first

came because of two views of the purposes of government, one of which was championed by Hamilton and the other by Jefferson. Hamilton, who headed the Federalist party, was in favor of a strong national government controlled by "the well-educated and well-born," which should be properly used to protect com-



THOMAS JEFFERSON

merce and industry against foreign competition. Jefferson, as spokesman of the anti-Federalists who called themselves Republicans to show their hatred of monarchy, and favored strengthening the state governments, hoped that the United States would become a nation of small independent land-owners.

From the first, the contest was a heated one, much to the distress of Washington, who spoke severely against the "baneful effects" of the spirit of party and the disorders and miseries which resulted from it. John Adams, too, was horrified at the "unwarranted and indecent attempts of sending agents with printed votes." But, in spite of this disapproval, the party breach widened, with a question of a "liberal construction" of the Constitution as the dividing line. Both parties in turn used the liberal construction to suit their own ends, a practice which after a time made Congress the dominant force of our federal system of Government.

Washington and Adams were Federalists, the four Presidents following — Jefferson, Madison, Monroe, and Adams — were Republican-Democrats as the anti-Federalists came to be called. The Federalist Party disappeared at the close of the War of 1812, after the leaders in the Hartford Convention had threatened to secede from the Union because trade was being interfered with.

Monroe's administration (1817-1825) was the Era of Good Feeling, there being no party issues during his two terms of office. But soon the tariff question began to be felt as a cause for division — the manufacturing North seeking protection for its industries, while



ALEXANDER HAMILTON

*After an engraving by J. Rogers
from the Talleyrand miniature*

the agricultural South advocated free trade.

By the close of Jackson's first term, the Republican-Democrats had become simply Democrats, a name which they have since that time retained. By this time the National Republicans formed a new party, standing for principles similar to those of the Federalists. After a time, members of the new party called themselves Whigs.

The Whig party, of which for many years Henry Clay was the leader, stood for a strong Federal Government, a liberal construction of the Constitution, permanent internal improvements, a protective tariff, and the national bank. The Democrats, on the whole, stood for the Union, which had already been attacked by Calhoun and the believers in nullification, but they opposed a high tariff, internal improvements, and the national bank; they advocated government directly under the control of the people. The Whigs succeeded in electing William Henry Harrison in 1840 but failed to carry out their program because of Harrison's early death.

By 1840, the slavery question, which had always had its influence came openly to the front and a new political party, whose chief plank was opposition to slavery, grew out of the old Whig and Democratic parties. The leaders in this movement named the organization the Liberty party but later called themselves the Free Soil party.

Finally in 1854, the Whig party having in turn gone to pieces, the Republican party held its first national convention. Many anti-slavery Democrats joined the new party which demanded that slavery be prohibited in the territories and that Kansas be admitted as a free state. At the second national convention of the Republican party in 1860, the platform declared against

slavery in the territories, and stood for a protective tariff and free homesteads. "The agricultural South and the industrial North were pitted against each other with the free farmers of the West holding the balance of power."

Since the War of Secession, the Democratic and Republican parties have stood in the main for the principles on which they were formed, old planks dropping out of their platforms as they became dead issues while new ones were added as new conditions arose. The Democrats stand for low tariff, greater popular control, and against imperialism or annexation by conquest; the Republicans for high tariff, for an imperialistic policy, and generally for a narrower control of the government.

The Republican party held unbroken power from the time of the War of Secession to 1885. Since that time Harrison, McKinley, Roosevelt, Taft, and Harding have been Republican Presidents; Cleveland and Wilson, Democratic Presidents.

In 1912 the Republican party split and the Progressive party, headed by Theodore Roosevelt, was formed. This party endorsed presidential primaries, the initiative and referendum, popular election of United States senators, the short ballot, woman suffrage, legislation in favor of labor, a minimum wage for women and children, protection of working people, and regulation of monopolies and trusts. In fact, the party made a determined effort to out-democrat the Democrats.

The Democrats at the same period stood for a downward revision of the tariff, a tax on incomes, regulation of trusts and monopolies, labor legislation, and federal reserve banks to reduce the power of the great banking

centers. Both parties made a bid for the labor vote which now holds the balance of power. In 1912 the Democrats succeeded in getting most of the labor votes with the result that Woodrow Wilson was elected President.

Short-lived, small parties have been formed during late years but have not been able to gain many offices. The farming interests of the West have several times organized themselves for the sake of gaining political recognition. The first was the Greenback party which had a brief career during the late 70's. The Populist party, which came into life in 1892 on a free silver platform, was at one time able to muster a million votes, but soon declined. Its present descendant is the Non-Partisan League which though not yet recognized as a national party has gained control in North Dakota where it is trying out some interesting experiments in state control of industries and public service utilities. The Prohibition party was never able to elect its candidates to office in any great numbers, but that it has had a telling influence on the popular mind is clearly evidenced by the 18th amendment to the Constitution.

The Socialist party which has existed as a national party for a number of years, has not been able to make much of an impression on national politics. Many of the votes it counts are votes of protest against the policies and control of the two old parties.

In 1920 the Farmer-Labor party was launched. It is made up largely of persons who are discontented with the present conduct of our government, but are not ready to subscribe to Socialistic doctrine. In their 1920 conventions the Socialists and the Farmer-Labor parties both put forth platforms advocating greater popular control of economic and governmental affairs.

Political parties have had a great influence on the development of the government of the people. They have both helped and hindered. While they have been a powerful means of educating the people in the practice of carrying on government, they have also sometimes retarded progress. Thousands of voters have been party men, pure and simple: they were born Democrats or Republicans and they died Democrats or Republicans bequeathing their political faith to their sons. Measures proposed by one party, no matter how commendable, are generally opposed and frequently defeated by the other party, with seeming disregard for the welfare of the country as a whole. The candidates for office set up by either party have been savagely reviled by the members of the other and vital issues are often clouded by prejudice and party feeling.

On the whole, however, political parties have done much towards the development of political democracy. In the heat and conflict of debate new and better ideas spring into life. The great questions which are to be decided are advertised, and in the long run, measures that are for the common good are agreed to by the majority of the people and made the law of the land.

SLAVERY

The slavery question is bound up almost inseparably with political parties, the industrial revolution, the westward movement, and other great features of our national life. Though as a political question, slavery is dead, the negro question is yet unsolved. Slaves were introduced into the South primarily to perform menial agricultural labor in that warm climate. Later, for many years, slavery existed in all of the thirteen states. When the Constitution was adopted, it was thought that slavery would die out of itself as it had

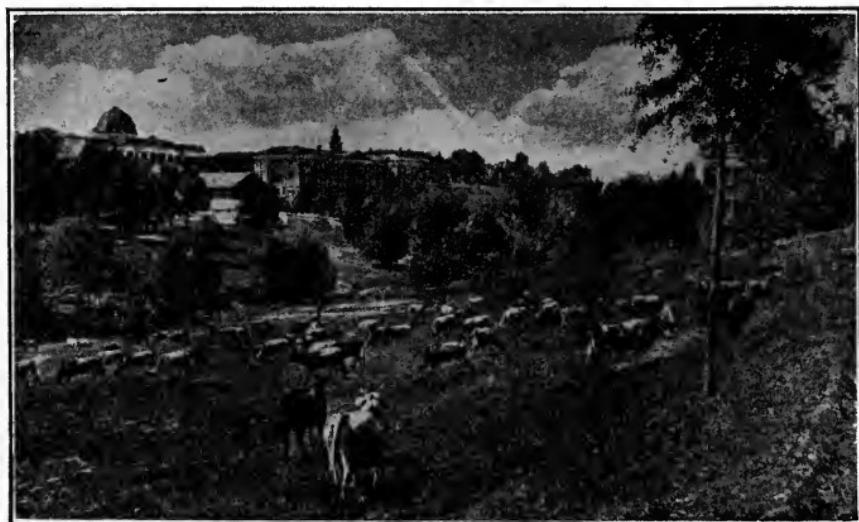
already begun to die out in the North. But the invention of the cotton-gin and the consequent increase in cotton production gave new life to slavery in the South so that although the slave-trade was abolished in 1808, by 1860 there were about four million slaves in the United States.

At first slavery did not show itself openly as an influence on politics, but it was not long until it began to divide the North and the South. Although one of the compromises of the Constitution had settled the question of representation in Congress, the question as to whether the federal government or the state governments should regulate slavery in the new states and in the territories soon began to be fiercely debated. The discussion of the right of Congress to prohibit slavery "forever" north of the 36-30 line resulted in bitter sectional strife. Texas was admitted as a slave state, California as a free state; Utah and New Mexico were left to decide the matter for themselves; the Northern people refused to assist in capturing slaves; the South succeeded in getting the Fugitive Slave Law passed; the question of the admission of Kansas and Nebraska as slave or free states arose; and the struggle for that territory between the North and the South began.

In the meantime, the Abolitionist movement was well under way, and compromises for a time delayed open war. The South attempted to annex Cuba that additional slave territory might be added to the United States. Finally, it became evident to thoughtful people that the country could not exist "half slave and half free." Not long after that, the War of Secession settled the question of slavery in the United States forever.

Since the abolition of slavery, the United States has

had the still unsettled negro question to deal with. After Emancipation, the negroes, no longer slaves, were found utterly untrained and unfit to earn their living independently, or to use their vote intelligently. The politicians in the North wished to give the negro the vote at once. The people in the South, who naturally look upon the black man as an inferior, have made laws that have kept the vote from most of the negroes, in



Courtesy of Allyn and Bacon

TUSKEGEE INSTITUTE, ALABAMA

Founded by Booker T. Washington for the advancement of the colored race.

spite of the fact that the Thirteenth Amendment freed the slaves, the Fourteenth Amendment made them citizens and gave them civil rights, and the Fifteenth Amendment forbade disfranchisement "on account of race, color, or previous condition of servitude." Property, educational, and other restrictions have deprived most of the negroes in the South of the ballot.

The negro question is still one of the urgent questions for the United States to solve. Opinion is divided as to how it should be settled. Whatever is finally done for the negroes, no one should oppose measures to bring about a good degree of education, both industrial and cultural. Justice demands nothing less, as justice demands a prompt and fair adjustment of this vexed problem.

THE TARIFF

The tariff has been a live issue since the first tariff measure was attempted in 1781. At that time a flat tax of five per cent. was proposed on imported articles for three distinct purposes: to pay the national debt, to pay the Continental army, and to carry on the government. In other words, the tariff was originally intended to be "for revenue only." The measure was rejected because under the Articles of Confederation it required the consent of every state, and Rhode Island refused consent as she was well satisfied with her own tariff laws by means of which she was exacting toll from her neighbors.

The first tariff act was passed in 1789 as one of Alexander Hamilton's great financial measures. It was designed to pay the national debt, to carry on the government, and to encourage and protect manufactures — that is, it was a tariff both "for revenue" and "for protection." It provided a duty on all foreign vessels, on various foreign goods — wines, tea, silk, sugar — at varying rates. At once a division of opinion arose as to whether Congress or the states had the authority to regulate tariff for protection.

Henry Clay, called the father of the protective tariff, was responsible for the tariff of 1816, the first definitely

protective measure which laid an import tax on cottons, woolens, and manufactured iron. At that time there was a real need of protection to American manufactures because of the "dumping" of foreign goods, which had accumulated during the War of 1812, on American markets. In the South, John C. Calhoun, a Republican-Democrat of South Carolina, favored the tariff because he thought it would affect the cotton market favorably; Daniel Webster, a Federalist of Massachusetts who represented a commercial and shipping business, opposed it because he felt that any tariff would tend to restrict commercial relations with Europe. Later the North and South reversed positions. In the main, the agricultural South has favored a low tariff because it had no manufactures that needed protection but desired imported articles at the lowest possible prices, while the manufacturing North has sought a high tariff that would protect its growing industries from foreign competition. From this it is seen that the protective tariff was favored by the interests that would be helped by protection.

The tariff for protection, called the American System, increased in favor as a national policy, until the "Tariff of Abominations" of 1828, passed largely as a political measure to make President John Quincy Adams unpopular, raised the average of taxed articles forty-nine per cent. It had the desired effect and Jackson was elected President. This extreme measure opened up the question of "nullification"; for South Carolina, refusing to pay the unreasonable rates, began to prepare for war. By this time New England with its large manufacturing interests, was in favor of a protective tariff, while the South, largely dependent upon Europe for its farm machinery, and other manufactured goods,

was hotly opposed to it. To prevent a rupture, Clay stepped in with the compromise tariff of 1833 which greatly reduced rates on imported articles; whereupon South Carolina repealed her Nullification Ordinance.

A period of low tariff followed until the duties were more moderate than they had been in 1816. In Polk's administration (1844-1848), the tariff sank so low that it was merely a measure for carrying on the government. In Buchanan's administration (1857-1861), the first tariff measure since 1816, not affected by politics, was passed.

During the War of Secession, an increase of duties came about as a natural result of the need of money to carry on the war and of the influence of profiteering financial leaders. As a consequence, protection ran riot; every one who asked protection got it. The tariff act passed during the war forms the basis of the present tariff system. After the war internal taxes were reduced and tariff duties increased.

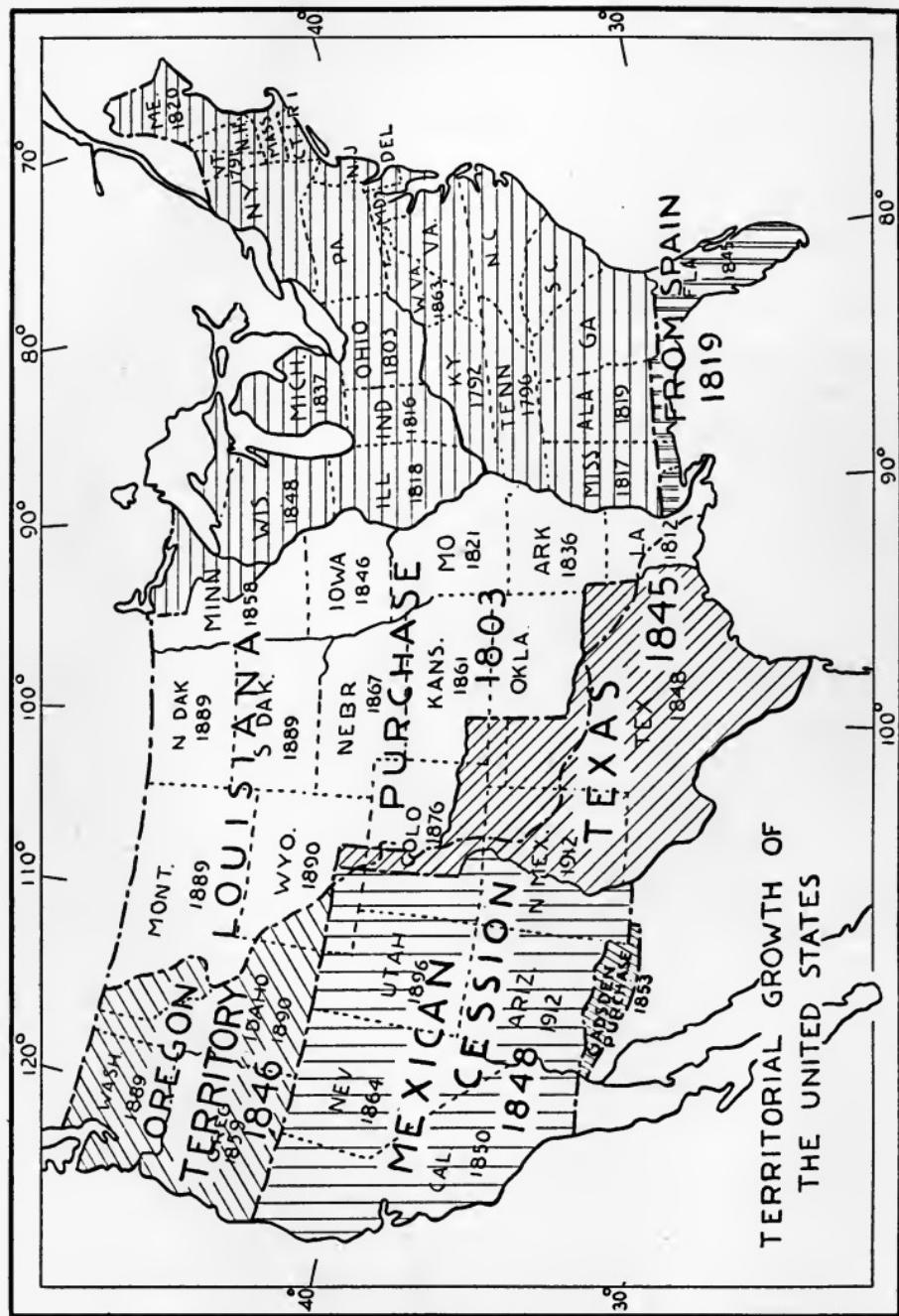
The tariff question was the leading issue between the Democratic and Republican parties from 1870 to 1911. Since that time, though it is by no means dead, questions of Capital and Labor have in a measure crowded the tariff issues out of the public mind. During that period though tariff rates fluctuated, on the whole, the great industries were adequately protected.

In Cleveland's first term (1884-1888), an unsuccessful attempt was made to reduce the tariff; in Harrison's administration (1888-1892), the McKinley bill brought the acme of high protection in which the consumer paid the bill. Efforts have of late been made to find out whether there is any real need of a burdensome tariff. Other sources of revenue have been provided such as the corporation tax, and the inheritance tax.

President Taft tried to bring about Canadian "reciprocity," by which natural productions would be exchanged between the United States and Canada without duties. This measure was opposed by the farmers of the Northwest and, as a consequence, party lines were thrown into confusion. In Canada the party that supported reciprocity was defeated and the bill never came up in the Canadian Parliament. In President Wilson's administration, the Underwood-Simmons tariff bill became a law and the tariff was reduced on many important commodities. To make up for the loss, a tax on incomes was levied after an amendment to the Constitution made such a levy possible.

The tariff question which began when a revenue measure with incidental protection for infant industries was passed, has grown from a small and comparatively simple factor in American government to one of immense importance and bewildering complications. The North, being chiefly engaged in manufacturing, has stood largely for high tariff; the South, mainly agricultural, has been solidly for low tariff, until the recent introduction of manufacturing into that section. As the West developed, its population was divided on the tariff question, according to whether it was engaged in agriculture or in manufacturing. The question in the main has been one of self-interest.

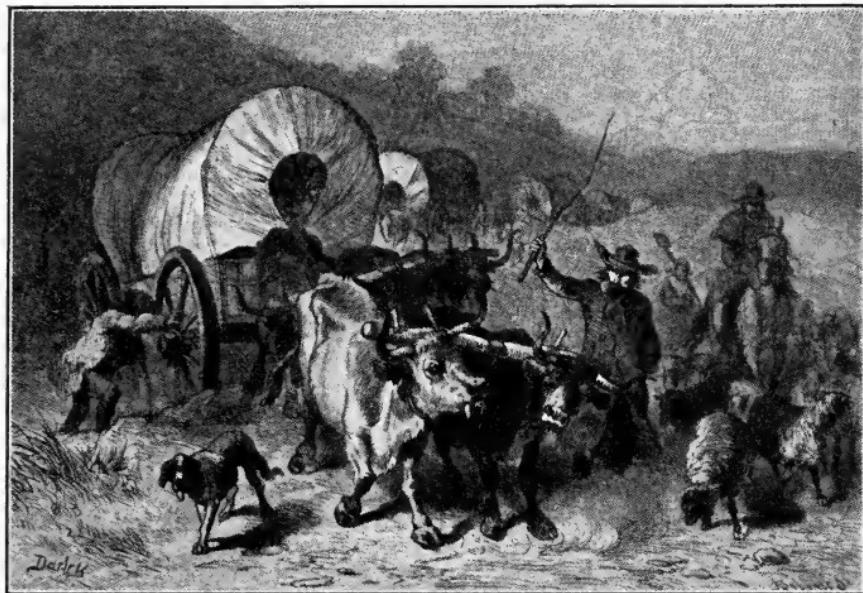
In general, the Democrats have stood for low tariff, and the Republicans for high tariff. During the last thirty years there has been a growing suspicion that the tariff is manipulated by the money power of the country for selfish ends. At the present time, party lines are not strictly drawn on the tariff issue. Many Republicans are losing their devotion to high tariff rates, while, on the other hand, many Democrats no



longer stand for tariff for revenue only, but for a modified form of protection.

THE WESTWARD EXPANSION AND FREE LAND

The Westward movement, which was caused by the fact that toward the West free land was to be had for the taking, has had a definite and direct influence on the growth of political and social democracy. Although



GOING WEST

the colonists who came over from Europe left behind them much of the paraphernalia of rank and class, they brought with them much more of it than is desirable in a country where the people rule. In the South particularly, labor of the hands was looked upon as degrading; even in "democratic" New England, the tradesman and his wife always went to the inn-kitchen, while the "gentry" sedately passed to the parlor.

But when the pioneers passed over the mountains or through the gaps into Kentucky, Ohio, Indiana and beyond, social distinctions fell off at once. Everybody was forced to labor with his hands, and the settlers naturally fell into the habit of lending aid to each other when help was needed, as in "raising" a house, husking corn, and at haying and harvest time. Men became truly "fellow-men" in the days of pioneer settlements.

The fact that every man owned his own land made for sturdy independence and honest pride in possession. The independent western pioneers showed a remarkable community spirit in working out questions for the common good. From the beginning, the life and practice of the western country influenced politics. As the states beyond the Alleghanies were admitted to the Union, they came in with liberal constitutions granting religious freedom and wide suffrage. The new commonwealths did not copy eastern politics; they set up a much more simple machinery of government.

The westerners distrusted the moneyed people of the East, who they believed were somehow getting rich on government money at Washington. They kept their few officers — sheriffs, county treasurers, and land-agents — constantly rotating, as they believed in passing good things around. This new spirit, working against the life job in politics, continued to grow until the election of Andrew Jackson disturbed the tradition that the Secretary of State should succeed to the President's chair and gave the last blow to the already tottering Virginia dynasty.

The more real democracy which resulted had in it, however, much of prejudice and perhaps justified distrust. The West continued for many years to be "dis-

graced " politically. The homestead law of 1862, permitting settlers to take up farms without cost, gave great impetus to Western emigration. The West has remained "the land of the liberal air"; the man from the West is free from many of the narrowing traditions of the man from the Eastern sea-board. Farmers' sons become lawyers, physicians, professors, business men, as well as farmers, and the mingling of "cousins," city-bred and country-bred, cultured and home-spun, on an equal social footing, helps to break down "caste."

The most remarkable and influential feature of western expansion has been the fact that the movement has continued. After one generation had cleared the forests and settled cities at one place, the next generation has moved Westward. "This perennial rebirth, this fluidity of American life, this expansion Westward with its new opportunities, furnish the forces dominating American character."

LABOR

The growth of democracy has been powerfully influenced by the industrial revolution and the increase in the number of skilled and unskilled laborers. Although probably the greater number of people in the colonies were engaged in agricultural pursuits at the time of the Revolution, a healthy growth had begun in manufacturing and ship-building. In all likelihood, however, the United States would have remained an agricultural country had it not been for the industrial revolution caused by the invention of machinery. The introduction of steam and iron together in manufacturing, caused the rapid rise of factories, and the resulting employment of hundreds of thousands of unskilled laborers tended toward greater democracy.

Laboring men from the very beginning performed their share in bringing about democratic institutions. The Sons of Liberty who paraded the streets in the days of the Stamp Act were working men — laborers and artisans. The mechanics of Boston, though outside of the meeting, had an intelligent understanding of the advantages of adopting the Constitution in 1787, as did the plainly clad farmers from up-State, who sat within. The pump-makers and ship-chandlers of New York were vociferous in their approval of the Constitution. Few of these men had the right to vote when the Constitution was set up, yet they helped the movement toward freedom in a very real way.

When Capital began to be powerful and oppressive, the laborers and working-men formed themselves into labor unions. For this action they were punished and the unions broken up. A well-defined labor movement in the earlier half of the nineteenth century had been almost forgotten until its records were recently unearthed by an industrious investigator. These early labor associations stood for a platform that included universal education at the state's expense, a ten-hour day, the right to combine, abolition of imprisonment for debt, exemption of a laboring man's home and tools from seizure for debt, and a more liberal national land policy.

After the great influx of foreign laborers, suffrage was by degrees extended to take in all male citizens of the United States. When the working-people began to ask for schools for their children, it was considered a very radical and unreasonable demand, as a school at the public expense was looked upon as a charity school attended only by paupers.

The influence of the early labor movements on education and politics has been almost lost sight of because of

the moral stress of the slavery question, which absorbed the attention of the country for half a century. Within the last twenty years, however, labor has become a force to be reckoned with in politics. The laborer has assumed a more dignified position since his cause has been taken up by the great political leaders, who see that the party that is destined to live must have the support of labor. Socialism has had its influence on the labor question and while many employers still deny the right of the laborers to organize, it is coming to be accepted that labor is not a commodity that can be bought and sold and that laborers have the right to be safeguarded in health and morals.

Some beginnings of a labor party have been made but, at present, it is likely that the labor unions and laboring men will continue to throw their influence with the political party that seems the most progressive. Since the war, a number of advanced labor programs have been put forth, one of which lays down the principle that in some way the tools of the laborers — in other words, the manufacturing plants — must pass into the control of the workmen, that they may share in the profits of the industries and have a voice in regulating the conditions of labor. Thinking people everywhere are looking for a better adjustment between capital and labor to be realized by a greater democratization of industry.

THE GROWTH OF EDUCATION

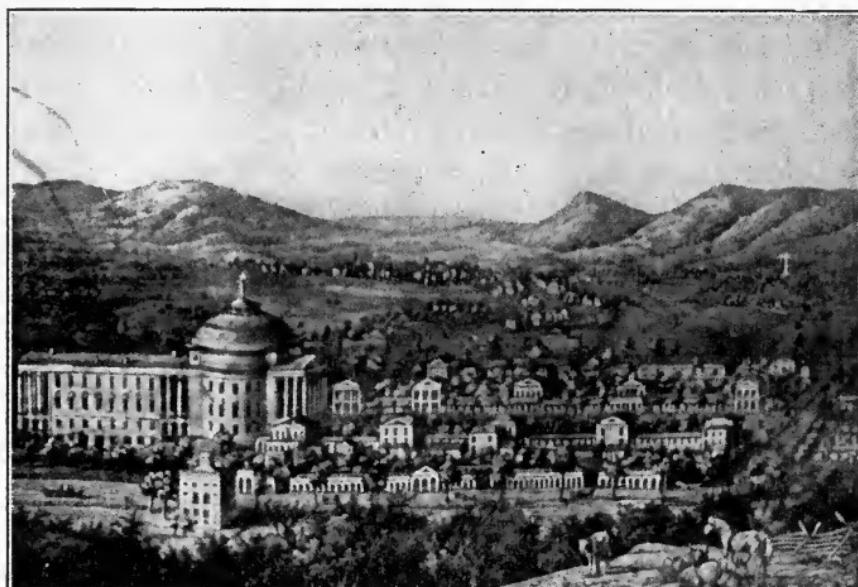
Education has had a marked influence on the development of the American government. In the colonial days in New England, while common schools were established that the children of church-members might learn to read the Bible, only the most elementary education

was furnished for those who did not expect to enter the ministry or the learned professions. For such select pupils the Latin schools were the paths to the colleges, which at first, were merely theological schools. Girls received scarcely any formal education. In the South where the people lived on scattered plantations, the sons of the wealthy planters had private tutors while the poor people had no schools whatever. The first schools at public expense were pauper schools in which children received a meager education. By 1830 the labor unions began to agitate for public schools from which the stigma of charity should be removed. Such schools were established by degrees, though for a long time there was no connecting link between the elementary schools and the colleges except the private academy and the private Latin preparatory school.

Early in the nineteenth century, academies — again for boys only — began to be opened in various parts of the country. Though these schools were originally intended to give preparation for college, the curriculum was generally more practical than that of the Latin school. Presently female seminaries for wealthy girls who showed an aptitude or desire for education came into existence.

Though the Northwest Ordinance of 1787 specifically encouraged education and provided that one section of each township should be public school land, there were no public schools in the United States up to 1830. Thomas Jefferson, a century ahead of his time, had attempted to establish in Virginia a complete school system from the primary grades through the university. His plan had failed because the people were not ready for such a step. In fact, during the first fifty years of the Republic, no one was interested in popular edu-

cation. The school lands in each township were not properly used; and therefore they were not much help to education.



THE UNIVERSITY OF VIRGINIA

The finest example of classical architecture in America. To this work Jefferson devoted forty years of his thought and the last years of his life. He devised the entire system of instruction and every feature of administration. The University of Virginia has no President but instead an elected Chairman; it has no set course of study, each student follows any line he chooses, degrees being granted after examinations; the faculty assumes that every student is a man of honor, the student body looks after delinquencies. Today the University of Virginia is, to a great degree, the embodiment of Jefferson's views.

By 1860, the first public high schools for boys were set up; these high schools had no connection with the primary system nor with the universities. Michigan was the first state to have a complete school system in-

cluding the primary grades, the high school, and the college.

Since the War of Secession, and especially within the last thirty years, schools have grown all over the country — public, private, parochial. Almost every state has its state university; every town of any size has a high school; thousands of academies, business colleges, parochial and convent schools, junior colleges and senior colleges have arisen almost over night. Rural education, though by no means adequately provided for, has taken great strides since the institution of consolidated schools. Vast sums of money are spent for educational purposes, yet, in spite of that fact, whole sections of the country, particularly in the South, are practically without the means of education.

The great public school system of the United States, taking in as it does the children of the native born and alien, rich and poor, cultured and unlettered, has been a true forum of democracy from which has come an aristocracy not of blood or wealth but of intellect. Nor should the work done by private and parochial schools be minimized. Hundreds of thousands of young Americans, native and foreign-born or of foreign-born parents have been trained in good citizenship in these schools. The spirit and influence of the training received in our public and private schools of all kinds in obedience to law and respect for constituted authority have been revealed in the records of the Great War. To-day the schools of America stand as a bulwark against the untried revolutionary movements that are threatening the peaceful development of the government of the United States.

CHAPTER VIII

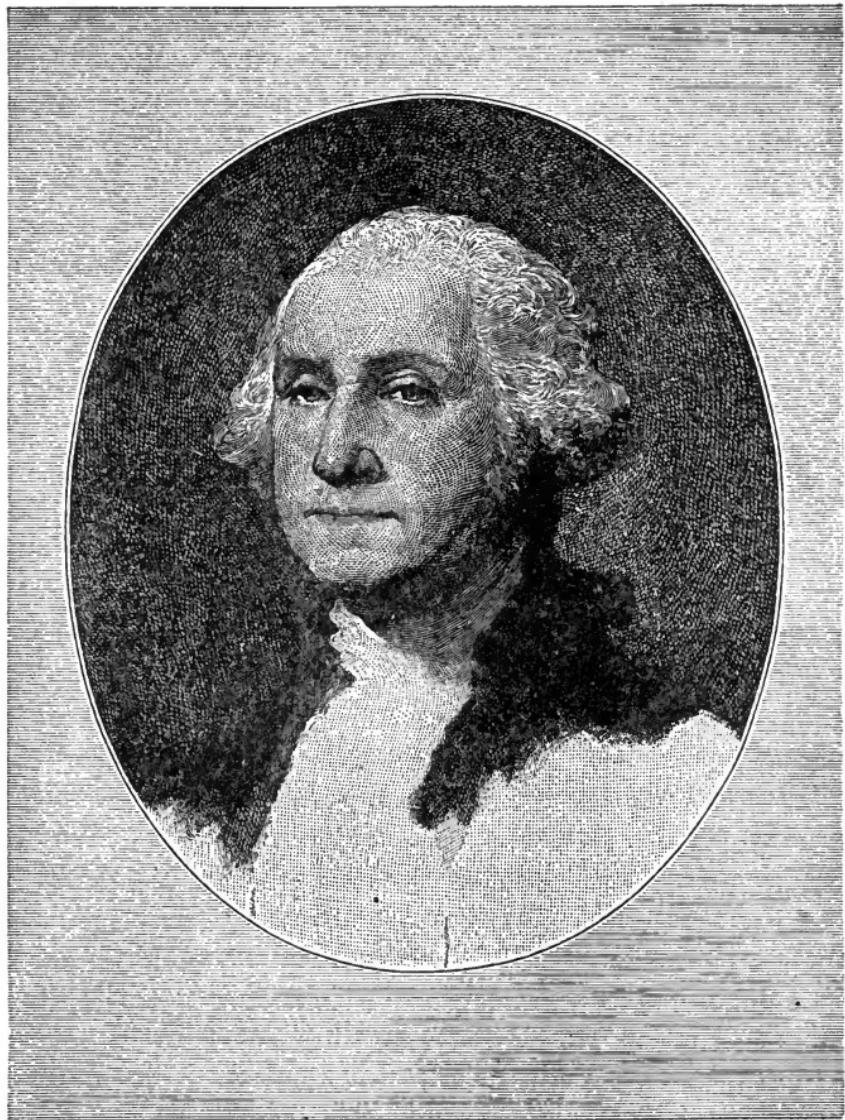
THE GREAT AMERICAN STATESMEN

Immortal things have God for architect,
And men are but the granite He lays down.

John Boyle O'Reilly.

When one looks over the list of American statesmen and tries to select the one who has had the greatest influence in making the United States what it is to-day, he immediately sees that such a selection is impossible. No one man's statement of principles or rules of procedure can be said to be the Bible of Americanism. In a sense, every American has given a shaping touch to his country's ideal. From the beginning, even before the Revolution, there were marked divergences in political principles, which, at times, threatened to disrupt the new United States. But with the setting up of the Constitution, order was brought into being, because of the possession of a framework of fundamental law sufficiently strong and sufficiently elastic to bear the strain of carrying on the government.

Though each great American who engaged in the business of making America what she is to-day left on the country's institutions something of himself, that something was not altogether the result of his personal opinions or of his individual set of principles. His work has remained because in public life he clearly expressed something that has been accepted by the greater number of American citizens as a part of the ideal of government or policy. In other words, each



G. Washington

leader helped to crystallize the half-conscious ideals of American people into tangible and easily understood doctrines and to carry them into general practice.

On the shining roll of honor stand the names of the men who may be called in deed and truth builders of American democracy: George Washington, Benjamin Franklin, Thomas Jefferson, Alexander Hamilton, James Madison, John Marshall, James Monroe, John Quincy Adams, Andrew Jackson, Henry Clay, Daniel Webster, and Abraham Lincoln. Though the list might be extended, it could not be reduced by the removal of even one of these names, because these men above all others have left easily recognizable marks on the government of the United States. Other men—statesmen, soldiers, and public servants—will be long remembered for gallant deeds and worthy conduct, but these in a peculiar way stand before all others, because they helped to make clear and unquestionable the principles of government which have come to embody the American ideal.

GEORGE WASHINGTON

George Washington may truly be called “the Father of his Country.” The name as applied to him is no empty title. No other man during the life of our nation has done so much as he did, in so many fields, over so long a period of time. The eloquent and courageous Patrick Henry rendered great service for democracy by molding public opinion at the beginning of the national period, as did James Otis and Samuel Adams; Schuyler and Greene were valiant generals, who helped to carry the Revolution to a victorious finish; Franklin labored untiringly in foreign courts and in the

American assemblies of freedom; John Marshall expounded the Constitution for the first forty years of its life, convincing men that it would work in actual practice; Hamilton used his gifts of mind in framing and explaining the Constitution and setting up the financial system of the country. Each of these men was a leader in one or more particular lines, but George Washington played an active part in all of these fields and in each did notable work. He was in the thick of American affairs during the French and Indian war; as commander-in-chief of the Revolutionary Army, he proved himself to be a great military leader; with calmness and dignity, he presided over the Constitutional Convention and held the balance true; as the first President of the United States, he performed the delicate task of setting the machinery of the government in motion; under his eye, the financial credit of the country was established; he settled the policy of our foreign relations by taking a new and original attitude in his definition and practice of neutrality toward foreign powers engaged in war with one another; and when he was about to retire from office, in a wise and eloquent appeal, he pointed out the dangers of the future, and warned the young republic against "permanent alliances" that might hamper the development of the American ideal of government.

Washington carried out every duty with a dignity and tolerant breadth of vision that has become a part of the American attitude of mind and rule of conduct. No American should neglect Washington's Inaugural nor his Farewell Address. Both set forth clearly defined principles and sensible warnings applicable to our own time. In the Farewell Address, Washington

exalts the name of America; urges the preservation of the Union as a whole, looks forward to close communication between the East and the West by land and water, warns against "overgrown military establishments," which he regards "as unauspicious to liberty"; urges in every untried extension of government "fair and full *experiment*"; and denounces "mere speculation" in such cases as "criminal."

He says in plain and familiar language, "The Basis of our political system is *the right of the people to make and to alter their constitutions of government.*" He denounces "*all combinations and associations, under whatsoever plausible character, with real design to direct, control, counteract, or awe the regular deliberation and action of constitutional authorities.*" He urges the importance of "institutions for the general diffusion of knowledge," and he says that "reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles." He warns the young republic against insidious foreign influence as baneful to republican government, but enjoins the keeping of "engagements" with perfect good faith.

In his Farewell Address — "These counsels of an old and affectionate friend" — there is scarcely a word that is not valuable to the thinking American of to-day. In the closing paragraphs he urges "harmony and liberal intercourse" with all nations, "*consulting the natural course of things.*" Time has proved that many of his fears were unfounded, that some of the policies recommended by him have outlived their day, but time has also proved that, after all these years, though the American ideal has become enlarged and broadened,

its fundamental principles, as set forth by George Washington, remain unchanged.

BENJAMIN FRANKLIN

Benjamin Franklin, another worker in many fields, was a pioneer American, who entered the struggle for



BENJAMIN FRANKLIN

the establishment of the new nation at the very first. He drafted the rejected Albany Plan of Union in 1764; he was one of the committee that drew up the Declaration of Independence; he was our foreign representative during the Revolutionary War, and, by his earnest efforts, won France to our aid; he helped to make the

treaty of peace that closed the war; and, in his extreme age, he sat in the Constitutional Convention, where he did much to maintain harmony in that sometimes harshly discordant group of earnest men. He was a believer in the capability of *the people* to carry on a government and urged the educational value of the franchise on the masses. Franklin left the impression of his personal character on American institutions — something of his self-control, good humor, modesty, and pervasive wit. Above all, his practical common sense and native shrewdness have gone into the texture of the American spirit. Franklin was neither eloquent nor brilliant, but he was always sane, reasonable, sincere, and practical, looking on life from the generous point of view made possible by a keen sense of humor.

THOMAS JEFFERSON

Thomas Jefferson, the author of the Declaration of Independence, was another builder of the American ideal. The great document that is the best exposition of his fundamental beliefs is not only a piece of sound political wisdom, but its wording and form make it a notable literary production. Though a man of wealth and inherited social position, he was opposed to rule by a class. He felt that the laws of one generation should not impose burdens on following generations. Like Samuel Adams, he believed in the intelligence, fairness, and generosity of the people; so much so that he was called all manner of names because he held “leveling” views, “a democratic scribbler,” being one of the epithets hurled at him. When the Constitution began to operate he became a supporter of States Rights and upheld the doctrine of “nullification” be-

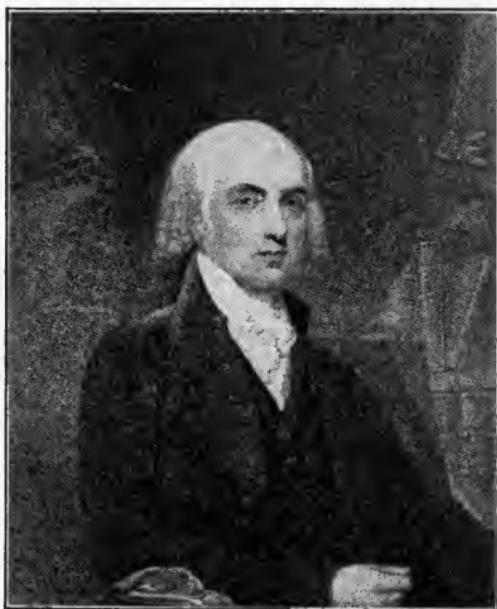
cause he feared the tyranny of a strong central government. He thought that the best government governs the least and that the world is too much controlled by governmental authority. Into the famous Ordinance for the government of the Northwest Territory, he wrote a clause providing for religious freedom, another for the encouragement of public education, and a third prohibiting slavery in that great public area. In 1805 he negotiated the Louisiana Purchase, by which the Territory of the United States was increased one-third. He founded the University of Virginia, one of the most remarkable institutions in the United States. Jefferson led the group that opposed the policies of Hamilton; he is looked upon as the founder of the Democratic party.

ALEXANDER HAMILTON

Alexander Hamilton, Jefferson's political opponent, was in many respects the greatest constructive statesman that America has produced. He was one of the framers of the Constitution and joint-author with Madison of the Federalist papers which even Jefferson — naturally not over-anxious to praise Hamilton — pronounced the best commentary on the principles of government ever written. Hamilton opposed States Rights and the rule of the common people and firmly upheld a strong federal government to be controlled by the well-educated and the wealthy. He had strong leanings toward a monarchial form of government and if he had had his way, Washington would have been saddled with the title, "His Highness, the President of the United States and Protector of the Liberties of the Same."

But Hamilton made up for what the democratically-minded consider the error of his ways by his sound financial policy which strengthened the central government and set it upon a firm basis. He first insisted on the prompt payment of the United States' debt and then proposed that the Federal Government take over the debts of the separate states. As soon as this was done, the Federal Government assumed greater strength and force, because the American citizens to whom the states owed debts were eager to support the government that proposed to pay them.

Hamilton also helped to establish a great National Bank in which the government was a shareholder and director. He claimed that the power to establish such a bank was given to Congress by a "loose" construction of the famous elastic clause. Thomas Jefferson, who was in Washington's cabinet with Hamilton, opposed Hamilton's reading of the clause as a dangerous precedent, saying that "necessity is a tyrant's plea." Nevertheless, Jefferson at a later date was com-



JAMES MADISON.

The Father of the Constitution. Author of the "Journal of the Constitution" and of the "Federated Papers."

elled to invoke the elasticity of the same clause when he negotiated the Louisiana Purchase. Hamilton not only established a strong financial system, but he also helped infant industries by introducing a protective tariff. As may well be imagined, Hamilton and Jefferson were not an "harmonious concert of powers" in Washington's cabinet. Doubtless, the first President was much relieved when Jefferson resigned the portfolio of State.

JAMES MADISON

James Madison of Virginia, the fourth President of the United States, is not so attractive and spirited a figure as either Jefferson or Hamilton, yet his services to his country — often quiet and unpretentious — were of tremendous value. In intellectual power, Madison was surpassed by no other President before or since his time. He was not a mere party leader, but a man of large view, sympathetic understanding, and independent mind. His secret Journal of the Constitution and the Federalist papers, showed an unselfish devotion to this country unsurpassed by that of any other American patriot.

Madison rightly opposed as unconstitutional the Alien and Sedition laws passed by the Federalists under John Adams. The "Alien Act" empowered the President to remove from the country any alien whom he considered "dangerous to the peace and safety of the United States." The "Sedition Act" provided for a fine and imprisonment for writing or publishing any article intended to bring the government officials into contempt or disrepute. The Constitution expressly forbade abridgment of the freedom of speech and press.

Because of these oppressive laws, the famous "Kentucky Resolutions," declaring that a state had the right to nullify an act of Congress, were adopted under the leadership of Madison and Jefferson. Virginia passed a similar protest phrased more moderately. The Kentucky Resolutions mark the beginning of the nullification struggle.

JOHN MARSHALL

John Marshall, another native of Virginia, was Chief Justice of the Supreme Court of the United States for the thirty-four years from 1801 to 1836. Naturally, his decisions had more influence in fixing the meanings of the Constitution than those of any other man who has sat on the Supreme Bench. He had done good work before he became Chief Justice; for to Marshall and Madison, more than to any others, belongs the distinction of securing the adoption of the Constitution by the Virginia state convention. Marshall's arguments in reply to Patrick Henry's eloquently expressed views against the adoption of a national Constitution were particularly telling.

During Marshall's long term as Chief Justice, he upheld the Federalist theorists, who believed in a strong national government as opposed to state supremacy. He dominated the courts by his great learning, his masterful power of analysis, and his clearness of statement. He secured for the Supreme Court the profound respect with which it is still regarded; he expounded the Constitution so as to make clear for the first time the nature of the national government; and he forecast the line along which the nation was to proceed, not only in judicial matters but in material de-

velopment. He placed on a firm footing the principle of judicial supremacy over the laws of the national legislature.

Marshall's contribution to international law was great, although that feature of his work has but recently been appreciated.



JAMES MONROE

As agent for Jefferson he negotiated the Louisiana Purchase; under the influence of J. Q. Adams he promulgated the Monroe Doctrine.

remembered as one of the great builders of the American ideal.

JAMES MONROE

James Monroe of Virginia was President of the United States from 1817 to 1825, during the period of political harmony known as the "Era of Good Feeling." He was of Jefferson's party, being one of the men who

His famous Dartmouth Case decision, which held that the Constitution forbade the impairment of contracts, has of late been seriously questioned, as has the wisdom and justice of his interpretation that the Supreme Court is entirely and clearly superior to the Legislative body. Whatever may be the final verdict on such questions, John Marshall's services in helping to stabilize our government will make him remembered as one of the great builders of the American ideal.

negotiated the Louisiana Purchase. He was opposed by no candidate, the Federalist party having committed unintentional political suicide in the famous Hartford Convention of 1814, where some of its leaders tried to put local industrial interests ahead of the best interests of the nation at large. But if Monroe's administration was undisturbed within, it was troubled from without by the fear of the intervention of European nations in American affairs. The great nations of Europe which had united in the Quadruple Alliance were about to interfere with certain South American colonies that had broken away from Spain. To prevent such interference, Monroe made a declaration in his message to Congress which has become famous as the "Monroe Doctrine" of history.

The "doctrine" set forth that thereafter no European power had a right to lay hands — either by way of interference, or by way of colonization — on any land on the western side of the Atlantic. In other words, the United States assumed the role of big brother to the rest of the New World with the exception, of course, of Canada and a few well-behaved colonies in the West Indies and South America which were under European domination. This mere expression of attitude on the part of the United States has ever since Monroe's time acted as a deterrent on European aspirations for new colonies in America. The Monroe Doctrine is Monroe's great contribution to the American policy.

JOHN QUINCY ADAMS

John Quincy Adams, of Massachusetts, who probably was responsible for the promulgation of the Monroe Doctrine, was Monroe's Secretary of State. He is

usually thought of as a disagreeable combative personality, because he was independent enough to break over the lines of political party. This characteristic was illustrated strikingly when as a United States Senator during Jefferson's administration, he upheld the Louisiana Purchase, though he was a Federalist. Again, he voted for laws that laid restrictions on New England trade and so brought the wrath of the whole Federalist party about his ears.

When Adams became President, he took up the question of internal improvements at national expense. This was a Federalist policy and like the protective tariff, one of the "burning" issues involving the question of a loose or a strict construction of the Constitution. Adams's party held that the elastic clause gave the government power, among other things, to make internal improvements extending from one state to another, to impose a tariff for protection, and to charter a National Bank as had been done by Hamilton. These questions were made the issues at the next election and the Federalists, with Adams as their leader, were defeated.

Adams, unlike other ex-presidents, re-entered national politics by becoming a member of the House of Representatives. Up to this time he had not been particularly interested in slavery, but when the Southern congressmen succeeded in passing the "gag rule" which provided that all petitions concerning slavery should be "laid on the table" without being printed or discussed, Adams's ire was aroused. He stoutly maintained that such a rule cut off the inalienable "right of petition," long a traditional right of English-speaking people. In season and out, he kept up

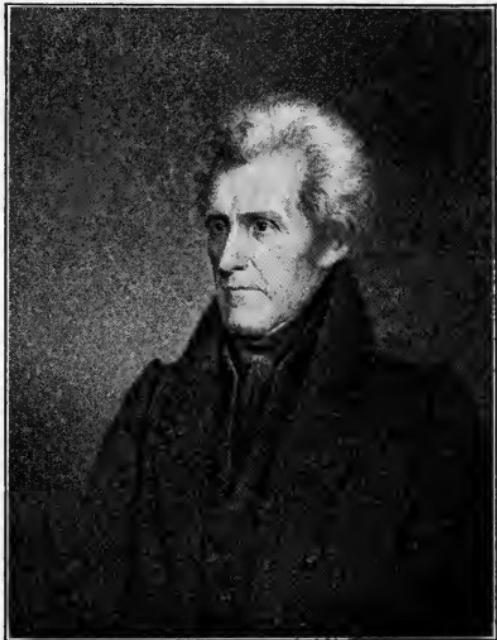
his attack until he had aroused the country. In 1844, the gag rule was abandoned.

In 1836, Adams declared in Congress that if ever the slave states threatened war, the national government could interfere in any way that military policy might suggest. Again in 1842, he voiced the startling principle that in case of armed rebellion, the President, as commander-in-chief of the army, had power to order the emancipation of slaves. At the time he was hooted at, but in 1863 Abraham Lincoln stood firmly upon this principle when he issued the Emancipation Proclamation. Adams died at his work in the very House of Representatives where he had often stood alone in defense of the principles of democracy.

ANDREW JACKSON

Andrew Jackson of Tennessee, President of the United States from 1829 to 1837, unlike the presidents who had preceded him, was a man of humble birth and without education or other cultural advantages. Jefferson, Madison, Monroe, and John Quincy Adams, were all university-bred, scholar-statesmen, members of the "upper" classes. Jackson was a popular hero after the battle of New Orleans because of his record in the War of 1812 and as an Indian fighter in Florida. His election marked the rise of the "common" people to a new power, and was made possible by certain constitutional changes that had gradually come about in state governments, among which were the removal of property qualifications, direct election of governors, popular election of judges in the courts, and the removal of religious tests for suffrage. Besides these political changes, a social change had taken place favoring greater democ-

racy, and demonstrating that the people were at last the "Sovereign People." Democracy was finding its power, and Jacksonian democracy, which taught that the people might govern as much as they pleased, was shown to be of a different quality from Jeffersonian democracy, which taught that the people ought to be governed as little as possible.



ANDREW JACKSON

He advanced Popular Government
and supported the Federal Union

political debts, the spoils system becomes thoroughly vicious.

But if Jackson lacked political foresight on the spoils system, he was on firm ground on the question of nullification. Since he had opposed the high tariff of 1828, South Carolina expected his support when Hayne made the speech which brought the "Liberty and Union"

Jackson greatly enlarged the pernicious "spoils system" by placing his political adherents in all federal offices, small as well as large. He did this on the seemingly sound principle that rotation in office was salutary for democracy. He may have thought he was improving public service by a "clean sweep." He could hardly have realized that when used as a method of paying po-

reply from Webster, and was sorely disappointed when he took an unalterable stand for the Union. When South Carolina threatened to secede, Jackson met the issue squarely and made ready to use force. He broke up the national bank, for which he has been severely blamed, although present opinion seems to incline toward approval of Jackson's policy. Looking at his work as a whole, Andrew Jackson must be considered one of the commanding figures in American History.

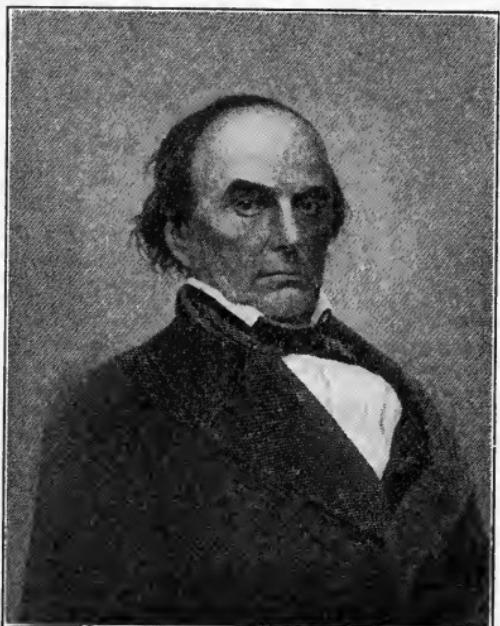
HENRY CLAY

Henry Clay of Kentucky must not be omitted from this enumeration of the Builders of Democracy. He was a signer of the Treaty of Paris, after the War of 1812. He used his great influence in eradicating European control from American countries, thus upholding the Monroe Doctrine and establishing our foreign policy. This service, though perhaps his greatest permanent contribution to the American ideal, had been obscured by his work as peace-maker between the warring camps of States Rights and Union. He used all of the power of his splendid personality to bring the contending forces together by compromising their differences on slavery and the tariff. He thus staved off the War of Secession for thirty years. If Henry Clay had not lived, it is doubtful whether there would be a United States of America as we know it. His sincere "I would rather be right than be president" is a true reflection of his character.

DANIEL WEBSTER

Daniel Webster's name invariably brings to mind the impressive scene in the United States Senate when that

superb orator drew himself together and delivered his great reply to Senator Hayne's speech in support of nullification. In words of living beauty, ending with the matchless peroration which concluded with the words, "Liberty and Union, now and forever, one and inseparable," he convinced the nation that lasting unity was essential to the common good. Years have passed



DANIEL WEBSTER

His great work was to make strong
the feeling for union

since Webster's day; the War of Secession has been fought; fortunately the Union has been preserved. While thousands of influences contributed to this happy outcome, no single one was so great in its effect as that golden speech of the "Expoounder of the Constitution," which clarified the ideals of the nation on this fundamental question. It created a strong feeling in favor of the Union.

In 1850, Webster yielded to a compromise with the South, a change of front that was never understood and consequently never quite forgiven. It is possible that he was angling for the presidential nomination, but whatever the cause of his yielding, it is a fact that his attitude on the compromise of 1850 probably pushed back the War of Secession for ten years and thus con-

tributed to the preservation of the Union by giving a longer time for sentiment in favor of a united nation to become more thoroughly crystallized.

ABRAHAM LINCOLN

All the men who were makers of America's destiny up to Abraham Lincoln's time, had striven manfully, through good and evil report, to work out a practical form of government based on sound principles that would conserve their rights to all men. They had wrought to so carry on the government that the interests of all the people might be served well; they had engaged in political struggles in the confines of their own country and they had striven in foreign wars. There had been days of trial and days of peace, but they never had felt the framework of the government giving way beneath their feet.

To Abraham Lincoln was reserved the supreme task of upholding the principles upon which the United States of America was founded while a great and terrific civil war was in progress. Lincoln saw each side of the controversy with understanding sympathy, but his decision fell on the side which has preserved the Union. Long before he had said "This government cannot exist, half slave and half free"; yet he had hoped that he would not be forced to the extreme measure of emancipating the slaves. But when he became convinced that in order to save the Union he must crush slavery, he did not shrink from what he conceived to be his duty.

On the field at Gettysburg, in the most lucid English passage that America can boast, he uttered those words that have become the accepted formula of American democracy. "Four score and seven years ago"

runs the Gettysburg address which ends with the high resolution, "that government of the people, for the people, and by the people shall not perish from the earth." Of all the great American statesmen Abraham Lincoln comes nearest to the universal heart. His words are a text which contain the best expression of the American Ideal.

When the War of Secession was over, no treaty was deemed necessary. Lee's surrender closed the terrible struggle to preserve an indissoluble Union. The victorious North did not demand a punitive peace; no reparation, no indemnities were exacted; no bloodshed by legal execution was made to pay the price of the civil strife. The question of the Union was settled forever; States Rights bowed to Federal Power; "other persons" ceased to be slaves. The obscure lines of the Constitution had been interpreted, not by the Supreme Bench, but by the deciding force of a sanguinary conflict. The Constitution no longer admitted of possible misinterpretation; its commentaries were complete. A new order of things may arise which will necessitate a change in the instrument of our government, but never again will it be necessary to go through the terrors of civil war to decide what the lines of the Constitution mean.

THE MIRACLE OF DEMOCRACY

In this brief survey of some of the builders of the American ideal, there is revealed a body of inspiring truth. The men who have had the greatest influence in shaping the American ideal of government, came, as it were, from the seven corners of the globe, from no one station in life, from no one party. Virginia gave more than her share — Wash-

ington, Jefferson, Madison, Marshall, and Monroe; Massachusetts gave John Quincy Adams; Pennsylvania, Franklin; New York is proud of her adopted son, Hamilton; Tennessee of the sturdy commoner, Andrew Jackson; Kentucky, the border state, was a fitting home for the peacemaker, Clay; granite-ribbed New Hampshire produced Webster; and the great Lincoln hailed from Illinois.

Fortune was careless as to the early advantages of these men. Washington, a landed gentleman, was the servant of all; Thomas Jefferson, the owner of a patriarchal estate, was a most ardent believer in the men of the people; Hamilton, the Federalist, thrown on his own resources at thirteen, set up our sound financial system, and with Madison, an Anti-Federalist, wrote the great state papers that helped to make the Constitution the law of the nation; Andrew Jackson, democratic in principles and a tyrant in actions, stood the unabashed equal of any potentate; Lincoln, the son of poverty and toil, saved the Union and freed the slaves. These men are the product of American democracy.

Nor can any one set of political theories account for the individual legacy left to America by these builders of democracy. Jefferson, a Republican-Democrat, and a believer in States Rights, dealt the first blow at slavery; Jackson, a Democrat, was the champion of the Union against nullification; Lincoln, a Republican, "with malice toward none," understood the South even while he carried on the war against her. What these men wrought that was good for the country has adhered; what was unworthy has fallen away or been shaken off by the winnowing of time. We remember them only for their part in making the American Ideal.

CHAPTER IX

AUTHORS WHO HELPED TO MAKE THE AMERICAN IDEAL

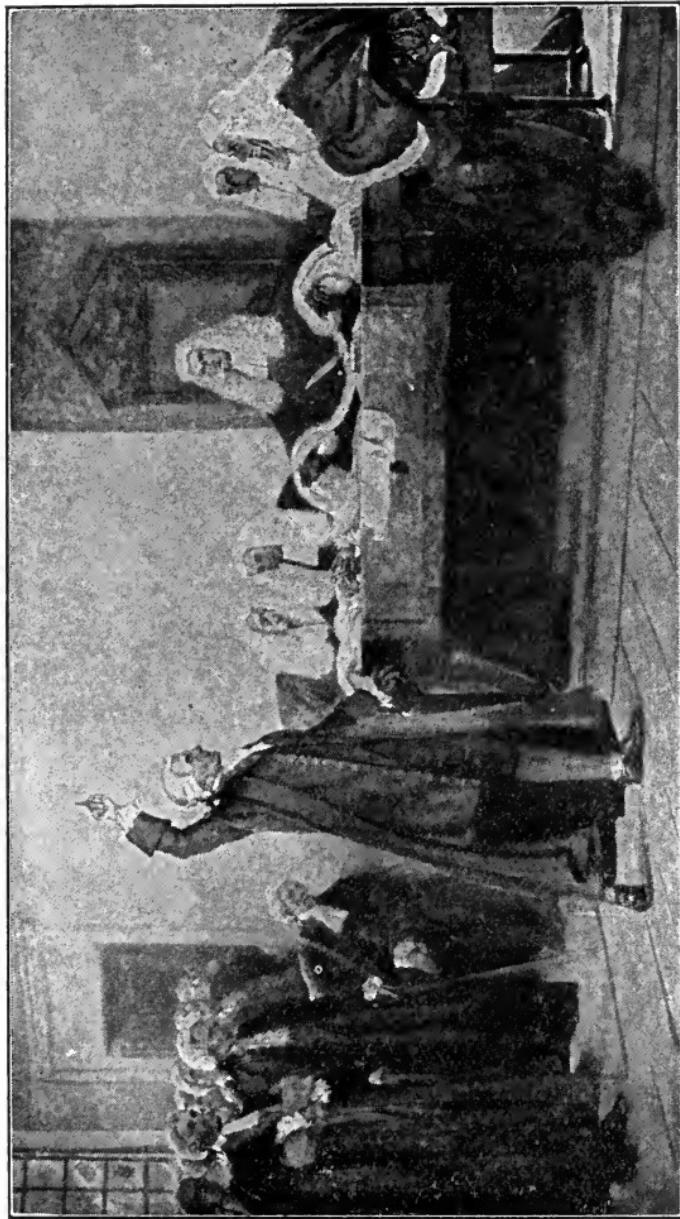
The ideal of America — the ideal of a “well-regulated liberty,” the ideal of brotherhood, by which every man is our neighbor — is a noble one. The future of American literature must depend largely upon the faithfulness of the American people to their national ideals.

H. S. Pancoast.

Americans have always been a *reading* people. The printed word whether in the transitory form of tracts or pamphlets or periodicals, or in the more permanent form of books, has, therefore, exerted a potent influence upon American life and character.

COLONIAL AND REVOLUTIONARY PERIODS

American literature naturally divides itself into periods corresponding with the historical development of the country. The writings of the colonial period which consisted largely of historical records, letters of love and friendship, diaries and journals, elegiac poems, and chronicles of human experience were nearly all written in a religious tone, especially when the writers were Puritans. The contrast between the atmosphere of New England and Virginia may be seen by comparing the sober, austere, and gloomy writings of the Puritan, William Bradford, with the gay, entertaining, and hopeful work of the Cavalier, William Byrd of Virginia.



THE PLEA OF JAMES OTIS AGAINST THE WRITS OF ASSISTANCE

From a mural painting by Robert Reid in the State House, Boston

As nearly all of the early political leaders in America were lawyers, oratory was the great moulding force of American life from the days of the Stamp Act to the War of Secession. During that time, when questions of state were debated by the representatives of the people in open assembly, by farmers and townsfolk on the village green, and by learned and unlearned alike, there was developed a body of intelligent citizens devoted to free government. All Americans are familiar with certain history-making orations. James Otis's speech condemning the Writs of Assistance, in which John Adams said American independence was born, is one of the great early American orations. Patrick Henry's "Liberty or Death" speech was another. George Washington's "Farewell Address" has proved a textbook for Americans. Andrew Jackson's Second Inaugural stands the wear of time with Daniel Webster's immortal "Reply to Hayne." The oration most widely known is the briefest and most perfect of them all, the "Gettysburg Address" of Abraham Lincoln.

The most notable writer of Revolutionary days was Thomas Jefferson. He has left his "Autobiography and Letters," besides the "Declaration of Independence." In 1774 he wrote a "Summary View of the Writers of America," an exposition of America's position, so convincing and so well stated that Edmund Burke, because of it, was inspired to write his great oration "On Conciliation with America." In that master pronouncement of Burke's he says of the American colonists: "In no country in the world is the law so general a study — all who read — and most do read — endeavor to obtain some smattering of that science. I have been told by eminent booksellers that in no branch of business, after

tracts of popular devotion, were so many books as those of law exported to the plantations."

Much of the Revolutionary War writing was in the form of doggerel ballads; every event was sung in verse and eagerly devoured by ardent partisans. Moore's "Songs and Ballads of the American Revolution" and Sergeant's "Loyalist Poetry of the Revolution" contain much interesting material showing contrasting points of view.

Benjamin Franklin left as a literary legacy his "Autobiography" and "Poor Richard's Almanack." Franklin was practical rather than æsthetic and his work helped to form the American ideal which is a satisfactory combination of the practical and the idealistic. Nor must the "Federalist Papers" of Hamilton and Madison be forgotten. Those essays, out of all the thousands of pamphlets written at the time of "the tumult of the truth" caused by the discussion of the ratification of the Constitution, are the only ones that have lived. They have been remembered because they are great literature as well as sound constitutional law.

None of the orators and political writers of the Revolutionary period ever dreamed that what they said and wrote would go down as American literature; they wrote out of the fullness of their convictions — to urge to action, to persuade, to convince, to secure for themselves and their fellow colonials an unfettered chance to forward and control their own interests. But often their words caught the fire of a great ideal and they, being men of learning and taste, wrote in forms so fitting to the subject that their works have become part of America's permanent literary inheritance.

BUILDERS OF THE AMERICAN IDEAL

Among the makers of distinctly American literature may be placed the names of Bryant, Irving, Cooper, Mark Twain, Longfellow, Whittier, Hawthorne, Lowell, Holmes, Emerson, Walt Whitman, and Lanier. All of these writers may fairly be said to have laid moulding hands upon the American ideal. Edgar Allan Poe is here omitted because, though perhaps America's greatest musician in words, his work, with negligible exceptions, lacks the moral significance which marks the work of the great American poets.

THE NEW YORK WRITERS

William Cullen Bryant (1794–1878) was a Puritan in his poetry. He was intensely American always and his work profoundly influenced our national life in its early days. Many of his poems reflect his sincere love of country and of her spirit of freedom; much of his poetry is religious and frankly didactic, as he intended it to be. "Thanatopsis" with its "So live that when thy summons comes," and "To a Waterfowl," have been the inspiration and the comfort of thousands of Americans; the "Forest Hymn," "The Prairie," "To a Fringed Gentian," "The Song of Marion's Men," "Evening Wind" and "Robert of Lincoln," all speak of the land of America. His poem, "The Antiquity of Freedom," voices in a poet's words what we believe concerning the right of a man to life, liberty, and the pursuit of happiness. Bryant has a forceful message to all Americans.

The first American to receive notice in Europe was Washington Irving (1783–1859). Through Irving,

America entered into the splendid fellowship of contemporary English literature. Irving's work was read with delight by Englishmen in the day of Byron and Scott. Moreover, Irving brought back from his sojourn in England and Spain something of foreign culture which helped the new republic to feel at home in Europe. Irving has endeared the Hudson River to all Americans by his "Legend of Sleepy Hollow" and "Rip Van Winkle." He made Americans know rural England in "Bracebridge Hall" and "Tales of a Traveller." Nor did he confine himself to literary subjects. He wrote a biography of George Washington, long considered the standard life of the first President of the United States. In the genial temper of his writing, Irving expressed the trait of kindness, which has been and still remains a national characteristic.

James Fenimore Cooper ((1789–1851) told his tales freely, abundantly, joyously, showing in the very prodigality of his powers, a certain American generosity of spirit. He wrote "The Spy," and the great series of Leather Stocking Tales. Though Cooper idealized the Indian, he made him real and substantial. He was true to human nature and showed a fine and just appreciation of upstanding manhood in the unmistakable courage and courtesy of all his characters. His books are wholesome; they are filled with the smell of the pines, the crackle of burning brush, the ripple of the waters of river and lake, and the story of the brave deeds of hardy men and gentle, though rather colorless, women. The real American has something of the rugged courage and innate courtesy of Cooper's creations.

The days of strenuous conflict preceding the War of

Secession produced little enduring literature; "Uncle Tom's Cabin" alone remains to mark that troubled time.

NEW ENGLAND WRITERS

Henry Wadsworth Longfellow (1807-1882) wrought consistently for America during a long life, helping in his own way to build the American ideal. He visited Europe and brought back to us the culture of the older nations, the poetry and lore of the Scandinavian countries, of Germany, and of Spain. He helped to make America a little less provincial and thus brought closer the time of a real "Federation of the World."

Longfellow's subjects were largely American; his "Evangeline," "Hiawatha," "Tales of a Wayside Inn," with its "Paul Revere's Ride," his "Courtship of Miles Standish," all these have helped to make America realize herself. It is said that "The Courtship of Miles Standish" has awakened more interest in the Pilgrims than all the histories that have been written on the subject. Longfellow, perhaps more than any other poet, has placed his mark on American life. He wrote not for a select few but for all his countrymen. He remains the household poet, the poet of the young. "The Ladder of St. Augustine," "The Builders," "Excelsior," "Morituri Salutamus," with its splendid closing lines, march sturdily, though not, perhaps, as captains of the line, with "Ulysses," "Childe Roland to the Dark Tower Came," "Say not the Struggle Naught Availeth!" and the songs of faith and courage of other poets.

It is recorded that the sad heart of Lincoln found the relief of tears on reading the lines beginning—"Thou too sail on, oh ship of state," which Longfellow

had written in 1840. In 1843 Longfellow voiced his view of slavery in "The Witness" and in the prophetic "Warning." When the War came, he could not sing.

The cause of abolition found one ardent advocate among American writers in the Quaker poet, John Greenleaf Whittier. Whittier's poems, dealing with slavery, began in 1833 and continued until the close of the War of Secession. They form a running commentary on the events of that time and are written with a fiery eloquence of which the reader of "Maud Muller" and "Snowbound" would scarcely suspect Whittier capable. No American can afford to neglect this poetic record of a patriot's feelings as aroused by national events. They are the expression of the ideals of justice on which our country was founded. Whittier wrote "Ichabod," a poem of stern rebuke to Daniel Webster for upholding the Compromise of 1850. Thirty years later in "The Lost Occasion," the poet expressed regret that Webster had not lived to make his last days glorious in defense of the Union. Whittier's poetry is beautiful and inspiring yet always wholesome.

Ralph Waldo Emerson (1803-1882), poet and essayist, has left his mark on the American ideal. Much of his work is distinctly American. "The American Scholar," called by Holmes "our intellectual Declaration of Independence," is a plea for a breaking away from the traditional European models and standing on our own feet as the freemen of a new world. His "Self-Reliance" calls on the young American to hoe his own row in life. He exalted sturdy independence of the individual. The philosophy of life set forth in Emerson's prose has made America known the world over. His poetry, though not so great in bulk as his prose, is fine and beautiful. The familiar lines from

"Concord Hymn," "Here once the embattled farmers stood and fired the shot heard round the world," give the history and outcome of the American Revolution.

Oliver Wendell Holmes (1809–1894) impresses one as a plain get-at-able American, a man of affairs, a family physician, a hail-fellow-well-met, and, at the same time, a poet of no mean ability. He is never too learned to be understood, never so much in earnest as to make one uncomfortable. He wrote on many distinctly American subjects, dealing with events in our history and occurrences of every-day life. He was genial and yet earnest. His "*Chambered Nautilus*" touches a high mark in American literature. Holmes could be fiery with indignation as his outburst at the propose destruction of the gallant war-ship — the *Constitution* — shows. Of Holmes' poems, "The Last Leaf" was Lincoln's favorite.

James Russell Lowell (1819–1891), poet, essayist, and diplomat, was perhaps, the most consciously "American" of American writers. He was a teacher of democracy; he held the American ideal of justice and fair play; he believed in the dignity and sincerity of American scholarship. He helped to found and firmly establish the *Atlantic Monthly*. He was no calm on-looker at the slavery struggle, nor at the obvious injustice of the Mexican War. "The Biglow Papers," America's best political satire, written in Yankee doggerel, criticises the aims of the war. "The Present Crisis" contains the ideals of all freedom-loving men. Lowell's best-known poem, "The Vision of Sir Launfal," teaches the brotherhood of men in a simple and beautiful way. "The Commemoration Ode" contains two great passages, the tribute to Lincoln, and the closing invocation, which begins:

"O Beautiful! my Country! ours once more!"

Nathaniel Hawthorne (1804–1864) wrote of the America of the seventeenth century. "The House of the Seven Gables," "Twice Told Tales," "Mosses from an old Manse," "The Scarlet Letter," and "The Blithedale Romance" are all on American subjects. Though in much of his work, Hawthorne writes of the stern and gloomy Puritan, the tone is generally cheerful, optimistic, and inspiring. His "Great Stone Face" has had a very real influence on the lives of many American boys and girls.

MARK TWAIN, WALT WHITMAN AND SIDNEY LANIER

Samuel L. Clemens (1855–1910), America's beloved "Mark Twain," is more than a humorist. A hater of sham and hypocrisy, he sought every opportunity to strip it of its robes of pretence. His writings distinctly reflect American life, especially the more rugged phases of it. His wit, though penetrating, is kindly. He uses ridicule without showing bitterness. Mark Twain stood for simple, open manhood; he hated pretended worth even when it was buttressed by wealth and power. By many Mark Twain is considered our most distinctly American literary product.

Walt Whitman (1819–1892), primitive, and self-assertive, is the uncouth laureate of democracy. Controversy rages as to whether his was the poetic gift, whether he wrote merely for an age or for all time. It is doubtful whether he will ever be read by a large audience; his work is not read by many; but he did express a lasting conception of true democracy — an ideal that is like a strong wind blowing off the grassy prairies. He stands for brotherhood, for the simple, unafraid dignity of man as he is created by God, en-

dowed with what God has given him, whether strong or weak, gifted or dull. Whitman preached the gospel of the essential worth of each man as he is, strong at his own task and conscious of his worth, in his own place and in his own way doing his share for the great democracy.

All Americans read and know Whitman's "Oh Captain, My Captain," "Pioneers, Oh Pioneers!" "I hear America Singing," and "The Prayer of Columbus." The best expression of his idea of democracy is in "Thou Mother of an Equal Brood," which, though overboastful, is prophetic and exalted. Of Whitman's work it may be said that, like the work of every other builder of democracy, what is worthless will drop off, what is worth while will pass into the general conception of the national ideal.

Sidney Lanier (1842-1881) was born in the South; fought in the Confederate army during the War of Secession; spent time in a military prison; became first flutist in a Baltimore orchestra; was a lecturer on literary subjects at Johns Hopkins; and, after a vain struggle against ill health, died at the age of thirty-nine. Lanier, though not well known even to Americans, is one of America's purest and sweetest singers, a master of music who through toil and pain, gave forth poetry rare in its beauty of thought and form.

Lanier's poetry, like Poe's, was wrung from his soul, but unlike Poe's, it was not distorted in thought and feeling by passion and despair. He never forgot the moral significance of art; in his mind the right alone could be beautiful. In his work is expressed the rare combination of rigid devotion to duty and the joyous delight in the color and beauty of life and the world about him. In Lanier's poetry will be found no

trace of the rancor of the war in which he fought on the losing side. His "Centennial Cantata," written in celebration of the birth of American Independence, sets forth what is perhaps the best statement of the American ideal of progress toward democracy that has ever been put into words.

MORE RECENT WRITERS

This list of American writers is by no means complete; there are names not mentioned here which will not be forgotten. There are chroniclers and singers of the South—George Cable, Thomas Nelson Page, and Father Ryan; singers of the middle West—Riley, Hamlin Garland, and Booth Tarkington; of the far West—Joaquin Miller, Helen Hunt Jackson, Bret Harte, and Frank Norris; and many others, name crowding on name, not all shining with equal luster, but all representing some vital aspect of American life and thought.

THE HISTORIANS

In a study of American writers who helped to build the American idea, the influence of American historians must not be forgotten. Prescott, Motley, Parkman, Bancroft, John Fiske, McMaster, and the more recent historians have done signal service in helping to develop and give permanence to the American ideal. Even when the subjects were not strictly national, when they have been concerned with the chronicles of other peoples, they have expressed the American point of view and thus have helped the forward march of government by the people. No one who seeks to find the true meaning of America will fail to search the pages of the histories written by Americans.

INFLUENCE ON NATIONAL THOUGHT

The possession of these American writers — our very own — gives Americans a place in the world of thought and feeling. The lives and works of these men have illuminated with a warm radiance the spots where they have lived and the places where they have laid the scenes of their songs and stories. They have been our real teachers of geography and history; without their aid we could not see the living map of our country nor the animated chronicle of our days. We know places, towns, and cities, and rivers, and mountains, North and South, East and West, because they have been made familiar by the writings of Americans.

Longfellow has made Cambridge, the Craigie House, Harvard College, the village of Grand Pre, and the Savannahs of Louisiana, visible and real to us; Whittier suggests Fredericksburg, the Rocks of Rivermouth, Marblehead, and New England country life in summer loveliness as well as when "Snow Bound"; Irving has made the Hudson country, our country, as he has brought Westminster Abbey, Abbotsford, and Stratford-on-Avon to America's doors. This suggestion might be continued to Bret Harte and the Western camps, to Hamlin Garland and the life of the prairie farm, to George Cable and old New Orleans, to Lanier and the Southern marshes of Glynn. The knowledge of these men and their works gives to our own country form and place and extent and reality, makes us aware of ourselves, and of our nation's manifest destiny. For we have climbed with the "youth who bore 'mid snow and ice," the banner of inspiration: we have held with Lowell "the Heritage" which any man might wish to hold in fee; we have pursued the "shapes that flit before" with Whittier; we have hastened downward to

the plains where duty calls with Lanier; and, though we lingered with poor Poe in the "Ghoul-haunted Wood-land of Wier," it was for the sake of the magic he made and not in doubt and black despair.

America has up to the present time reflected, and at the same time in a measure created, the healthfulness, sanity, moral rectitude, and spiritual exaltation of her writers, singers, story-tellers, chroniclers, and commentators. The future of American literature depends upon the American people themselves. If America remains true to her national traditions and ideals, if she refuses to let commercialism dominate her life and her law, the coming period of leisure and comfort will find expression for the spirit of American democracy in writings that will be truly national and at the same time a part of the literature which embraces all the written "things worthy to be remembered" by the people of the world.

CHAPTER X

THE FRENCH REVOLUTION AND AFTERWARDS

The representatives shall pronounce in unison, in the name of the French people, the oath *to live free or to die.*

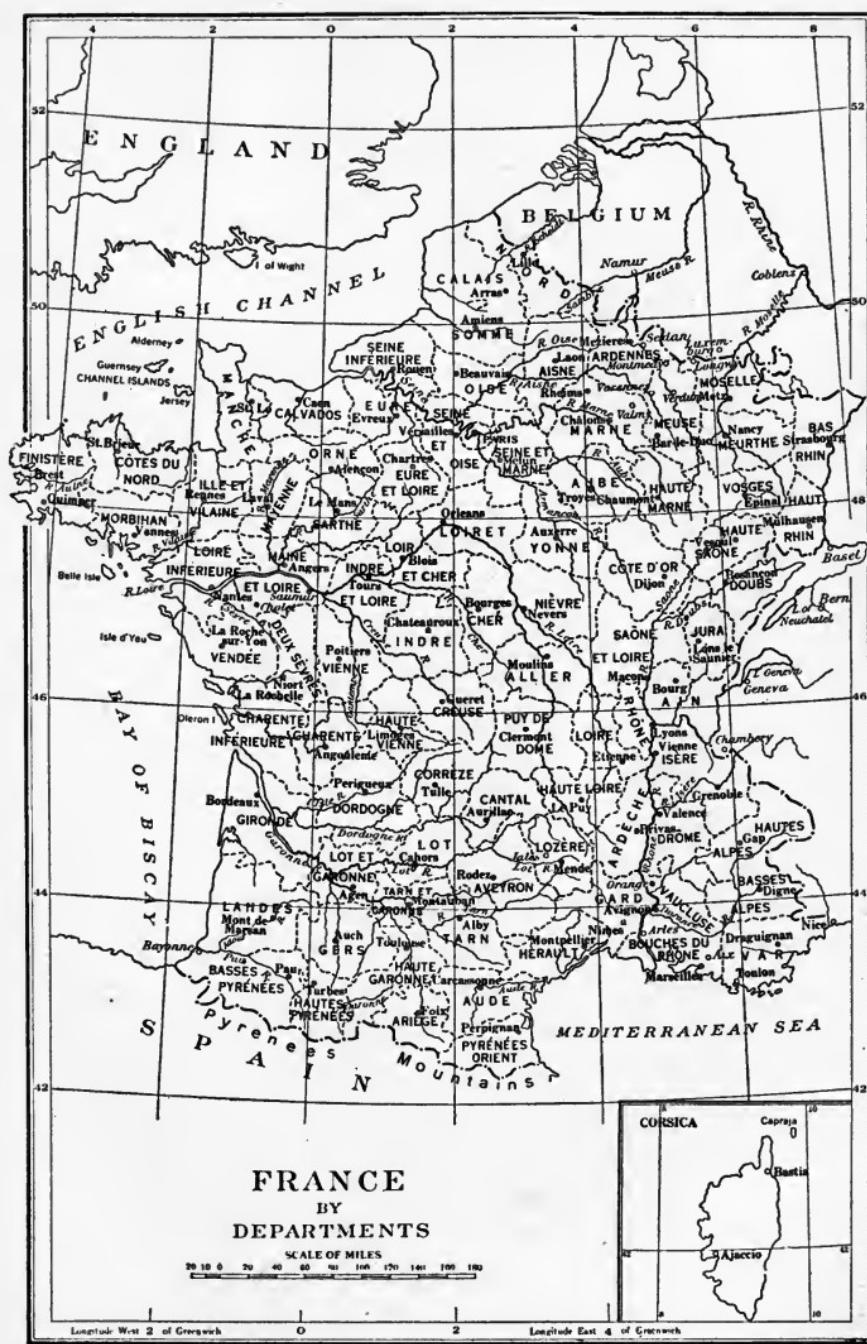
Constitution of 1791.

The great wheel of political revolution began to move in America. Here its rotation was guarded, regular, and safe. Transferred to the other continent, from unfortunate but natural causes, it received an irregular and violent impulse; it whirled along with fearful celerity; until at last, like the chariot-wheels in the races of antiquity, it took fire from the rapidity of its own motion, and blazed onward, spreading conflagration and terror around.

Daniel Webster (Bunker Hill Oration).

Any attempt to trace the development of popular government would be incomplete without a survey of the French Revolution, that great eruption of popular discontent which shook Europe to its foundation in the last years of the eighteenth century. It was a movement toward government by the people in marked contrast to the slow-footed, ponderous growth toward democracy which took place in England and America. The French Revolution was not the result of changes accumulating one at a time, but of the explosion of pent-up forces which, denied natural expression, broke loose in uncontrolled fury.

This terrific upheaval took place between 1789 and 1800. In that short period, the ancient autocracy of France was overthrown; a new government of the people was set up; the king and the queen were be-



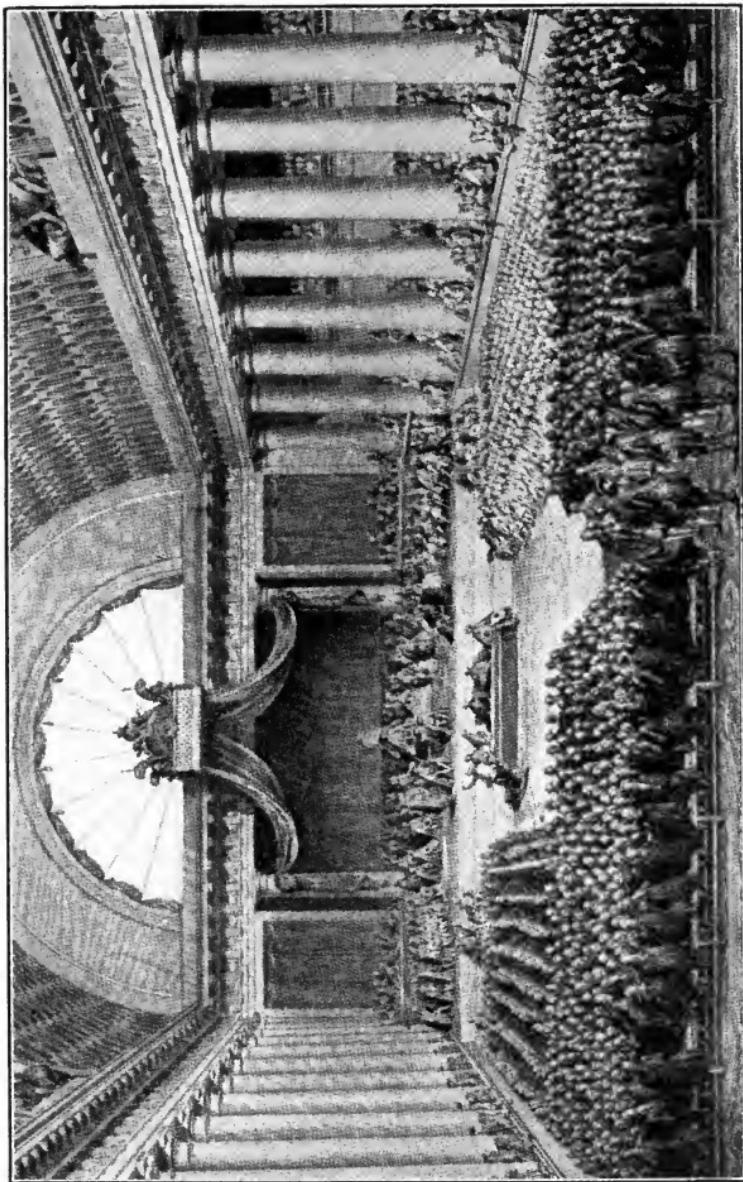
headed; the old order of society was demolished; the calendar was revised and renamed; and religion was abolished.

While all this was going on, practically the whole of Europe had taken up arms against France. After several years of war at home and abroad, the revolutionary government was overthrown; the leaders of the movement were executed; and, in the reaction that took place, France, exhausted and confused, fell under the sway of Napoleon Bonaparte. In bare outline that was what happened.

The French Revolution set free forces that make for the government of the people, yet its excesses checked the steady normal growth of democratic institutions and lost to the cause of democracy the support of liberal-minded people the world over who were shocked at the wild lengths to which the revolution went.

CAUSES OF THE FRENCH REVOLUTION

While the people of England, century after century, were struggling to force from the reluctant hands of her despotic kings and of her unreasoning aristocracy the right of political freedom, the people of the neighboring country of France appear to have been in a state of political inactivity. The king was the ruling power to such an extent that Louis XIV might well have said, "I am the state." Louis XIV ruled from 1643 to 1715, the seventy-two years coinciding with the English periods of Charles I, the Commonwealth and Cromwell, Charles II, James II, William of Orange and Mary, and Queen Anne. During this time, England went through a Civil War; set up a republic; saw the Restoration of the Stuarts; and finally the establish-



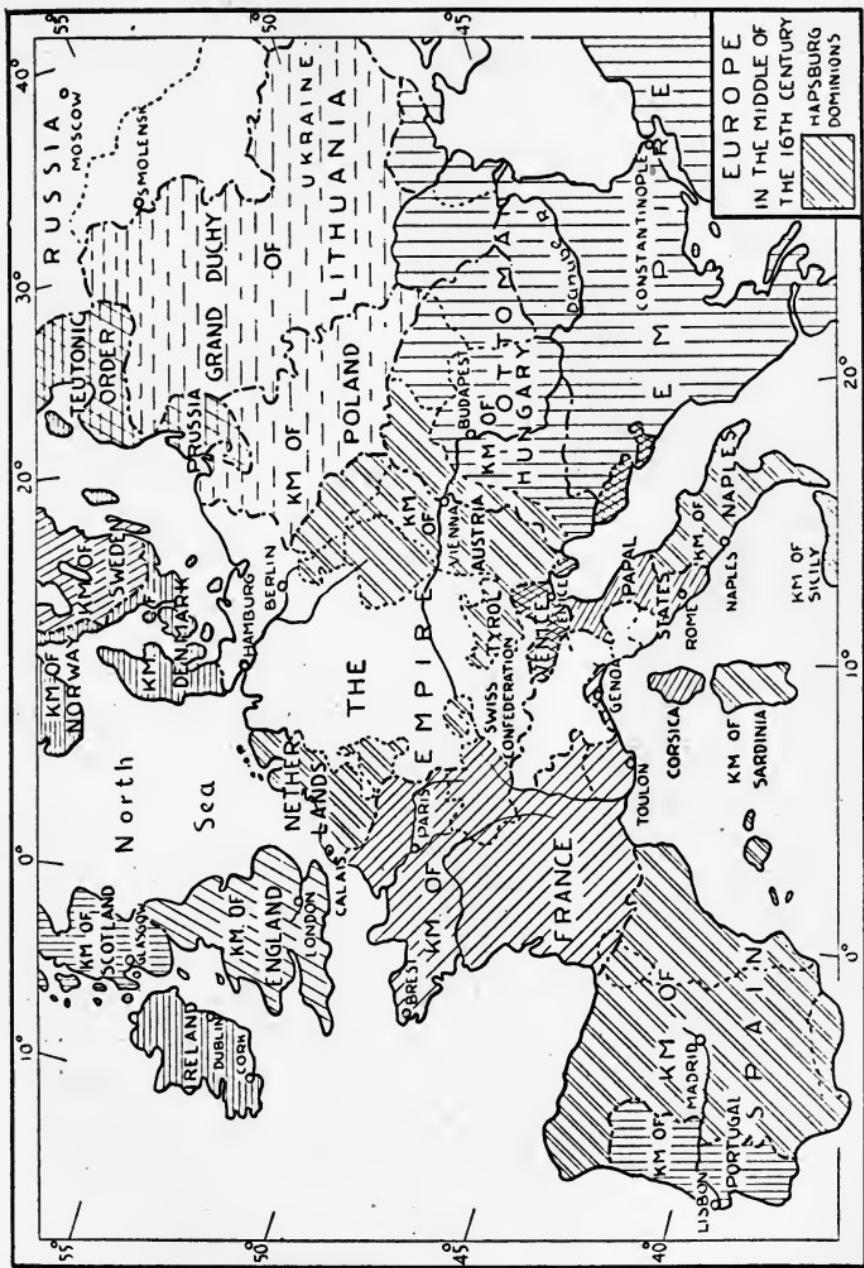
THE MEETING OF THE ESTATES GENERAL 1789

After an engraving by Maran

ment of a King subject to Parliament. In France, during the same period, the rulers governed as they pleased. The "Grand Monarche" increased the power and prestige of France among European countries and dazzled his people by national glory. The government grew to be a highly centralized monarchy with the King and his executive council in absolute control. The court of France, brilliant and extravagant, needed large sums of money to support its state, and the King and council fixed the taxes, levied the army, drew up "edicts"—as the laws were called—and ruled France without reference to the needs or desires of its people.

The taxes were unreasonable and unbearable. One of them—the *gabelle*—not only placed a tax on salt, but forced people to buy salt whether they used it or not; another—the *courvée*—was a road tax which compelled peasant-farmers to leave their work in the fields for many days in order that they might make the highways smoother for the carriages of the rich; and a third, an especially hateful tax—the *taille*—was imposed not only on land, but on all manner of industry. The nobles and clergy were exempt from paying any taxes.

The long and extravagant reign of Louis XIV was followed by that of Louis XV (1715–1774). In his reign things went from bad to worse with the people. Finally when Louis XVI (1774–1792) came to the throne, the trouble reached its height. France was almost bankrupt and the young King, finding it necessary to take extraordinary measures to relieve the situation, decided to call an election of the ancient and obsolete French legislative assembly, the Estates General.



THE ESTATES GENERAL, 1789

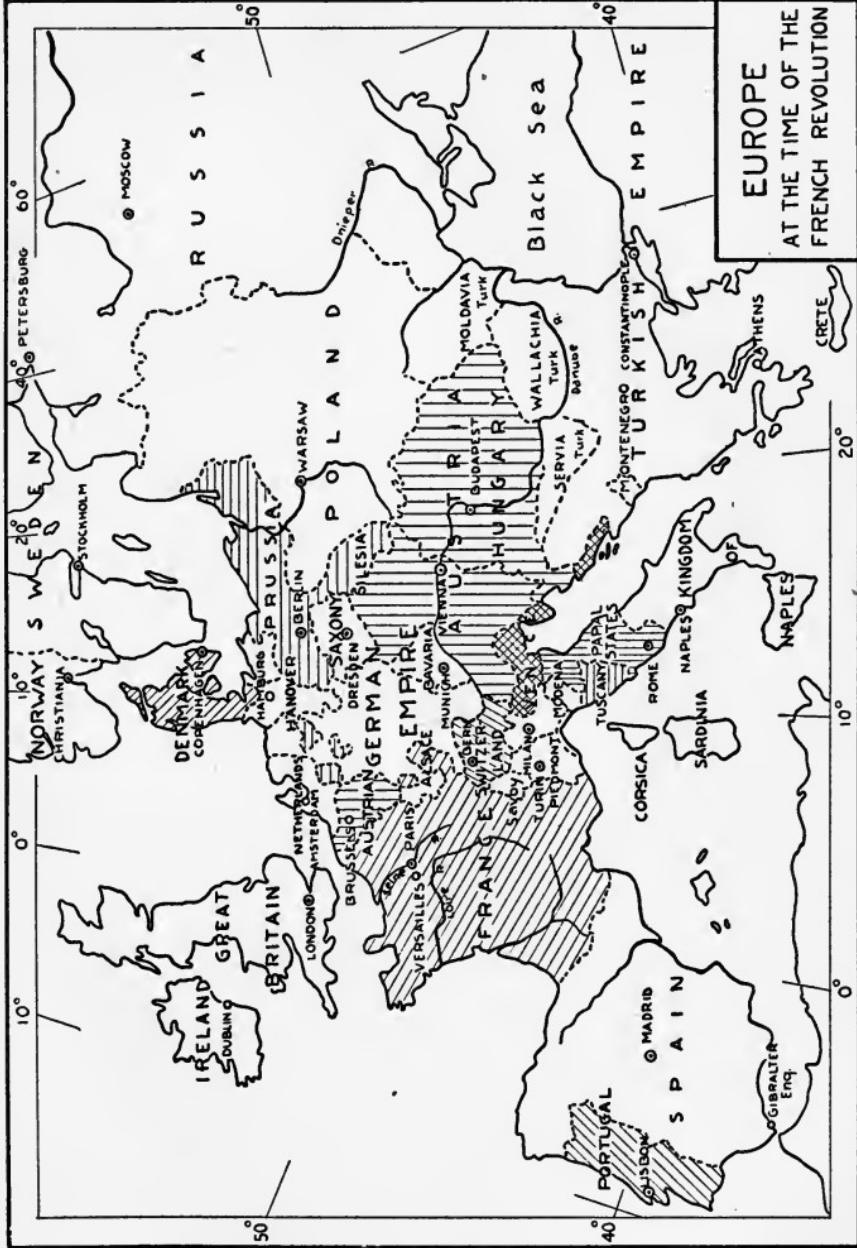
The Estates General had not been summoned since 1614, 175 years before. During all that time, the French people had had no regular training in carrying on government, but there had grown up a widespread feeling of intense protest against the unjust taxes that were laid on peasants on the one hand, and against the privileges of the upper classes on the other. The French people were not so beaten down and degraded as it is sometimes supposed; indeed, the very fact that they protested so vehemently argues that they were intelligent and courageous and that they were not at starvation's door. At least two-fifths of the soil of France belonged to the peasants, and the people of the towns — the burghers — though they possessed little land, contributed much the larger portion of the nation's capital. Upon the burghers — or bourgeoisie, as they were afterward called — that is upon the bankers, lawyers, physicians, capitalists, merchants, contractors, and high-grade craftsmen, the leadership of the French Revolution fell.

While the King was preparing for the meeting of the Estates General, he invited the people to send written statements containing suggestions for reform. Thousands of these "cahiers," which were nothing more than lists of grievances, were sent in. These proved a powerful educational force, as they set the people to thinking independently about ways of reform. Louis XVI lived to rue the day that he invited the people to give open voice to their wrongs.

THE NATIONAL ASSEMBLY

The Estates General represented the three estates of the realm,— the clergy, the nobility, and the commoners.

**EUROPE
AT THE TIME OF THE
FRENCH REVOLUTION**

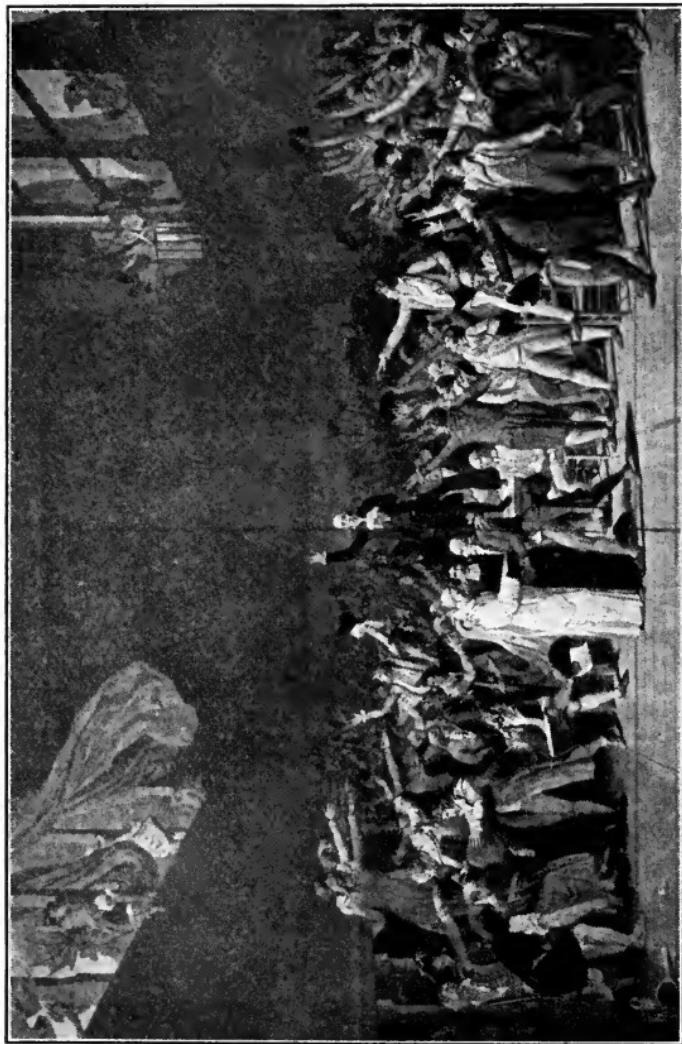


When it assembled trouble at once arose as to whether it should sit as one great body in which each individual had a voice or whether each estate should vote as a unit. The third estate, made up largely of lawyers, after a sharp contest with the King and the nobles, adjourned to a neighboring tennis-court and, constituting itself as the "National Assembly," took a solemn oath not to dissolve until a constitution for France had been made. The frightened King tried to disperse the Assembly by force of arms, whereat the people of Paris on July 14, 1789, rose in wild excitement and battered down the fortress known as the Bastile. Since that time, July 14 has been celebrated by the French as their national holiday.

From this time on events moved rapidly in a double line. The Assembly continued its work with steadiness and sanity, placing Lafayette in command of the National Guard; the people of Paris and the other large cities throughout the kingdom organized themselves as "communes" and took the control of local government into their own hands. Henceforward, the "communes" of France figure as vital factors in the history of the nation.

A period of confusion and terror now set in, the people becoming possessed by an unreasonable and unreasoning fear. This undefined, overpowering terror spread throughout the country and relieved itself by the wholesale burning of chateaux. A series of crimes followed, which terrified the already frightened nobles almost to distraction. The maddened people declared that they would no longer pay taxes, tithes, or rents.

The National Assembly felt that it must do something to pacify and satisfy the people. The nobles who had remained in the Assembly took the lead in a



THE TENNIS COURT OATH

The famous oath taken by the members of the Third Estate: "Never to separate and to reassemble whenever circumstances shall require, until the constitution of the kingdom shall be established."

After the painting by David

display of heroic self-sacrifice, voluntarily laying down their ancient privileges: tithes and exemptions from taxes were done away with; the hated "taille" was abolished "forever," and all citizens were made eligible to office.

THE CONSTITUTION OF 1791

Before this, the Assembly had drawn up a constitution known in history as the Constitution of 1791. It opened with the famous "Declaration of the Rights of Man and Citizen" which was suggested to the Assembly by the customary Bill of Rights found in the American State Constitutions. Notable among its clauses are these: "Men are born equal in rights and should remain so." "Law is the expression of the will of the people." "Each citizen has a right to a share in making it." "It must be the same for all." "Society has the right to call for an account from every public agent of its administration." It provided that the representatives in unison, in the name of the French people take "the oath to live free or to die."

The Constitution of 1791 provided for a limited monarchy. The civil rights of the people were secured, and equality before the law was established; hereditary titles and special privileges were abolished. Yet in spite of the high-sounding phrases of the Declaration of the Rights of Man and Citizen, there was no intention of universal suffrage, no practical government by the people. By the restriction of suffrage to those who paid taxes equal to three days' labor, the government was left in the hands of the middle class. By a further gradation according to wealth, members of the lowest class could vote, those of the second class could hold minor political positions, but only the members of the

third or most wealthy class could be chosen for the higher offices. The legislature was to consist of one chamber to be renewed every two years. A strictly constitutional King whose veto could be over-ridden by three legislative affirmations was to be the chief executive. By the mistake of making unwise and arbitrary laws concerning the Church, the Revolution lost the support of the 46,000 village priests who from the first had stood with the liberals. The King signed the new Constitution, but he continued to muddle matters hopelessly until the radical element became infuriated at certain ill-advised acts of his and the National Guard was forced to quiet the Paris mob.

THE KING AND THE NEW ASSEMBLY

After completing its work, the National Assembly broke up and gave way to an elected assembly provided by the new Constitution. The elections returned an almost entirely new assembly composed of ardent young lawyers and other inexperienced young men who made inflammatory speeches expressing the most advanced and revolutionary views. The assembly ordered the "émigrés"—the nobles who had fled the country—to come back to France under penalty of death; it also ordered all the priests who would not accept the arrangements of the new Constitution to be deported. A confusing time of civil and religious unrest followed until the Assembly felt that some move must be made to unite the warring factions. They hit upon a foreign war as an effective means of bringing about national unity. In the furtherance of this design, they found an excuse for a war with Austria, which they forced the helpless and bewildered Louis XVI to declare. Louis XVI had signed the Constitution of 1791 with

mental and spoken reservations. Soon after the declaration of war, the King in an ill-timed spirit of independence vetoed some measures passed by the Assembly and dismissed his ministry. The Paris mob rose with furious clamor and invaded the Tuileries. They rushed into the presence of the royal family, dragged out the frightened King, put a red cap on his head, and made him drink the health of the new regime.

This act of disrespect and irreverent violence toward the King led the neighboring countries to act. Prussia joined Austria against the French. The leaders of the Paris mob, notably Danton, a prominent Radical, now determined to depose the King. In a short time the Tuileries was attacked again, the King was suspended, and a new Constitution was ordered drafted.

THE REIGN OF TERROR

Then it was that the Legislative Assembly gave way to the Convention for forming a new Constitution; and the Reign of Terror began. Events moved rapidly. Monarchy was abolished September 25, 1792, the Year One, according to the new French calendar; a republic was established; three thousand suspected citizens were thrown into prison by the Paris mob; an army was raised; the invading enemies were promptly repelled; and the Convention sent out proclamations to all the people of Europe calling upon them to cast off their "tyrants." After months of imprisonment and humiliation, the King was tried and, as Citizen Louis Capet, was condemned as a traitor and executed.

The English liberals, men like Burke who had applauded the first movements of the Revolution, were horrified at the extravagant violence of the Convention

and lost faith in the capability of the people to rule. Gouverneur Morris, the American minister to France, was thoroughly disgusted with the "French madmen." But the Convention went on, declaring war on England, Holland, and other countries, until France was at war with all her neighbors. The furious career of the Revolution was for a moment somewhat checked by the combined efforts of the other European rulers who got their heads together and seriously planned the partition of France.

At this threat the Convention put the government into the hands of a Committee of Public Safety with unlimited powers. They proposed to crush the despotism of kings by a despotism of power. A group of ultra-revolutionists, called the Mountain, headed by Danton, Robespierre, and St. Just, and supported by the Commune of Paris took things into their own hands. They said the ignorant people, though well intentioned, would lead the country back to slavery if they were not checked.

All over the country civil war threatened. The peasants of La Vendee rose against the Republic, refusing to fight for a government that had killed their King and exiled their priests. Marseilles and Bordeaux were indignant at the treatment of the moderate revolutionists. Besides this, the Allies were attacking the frontiers of France; the English took Valenciennes and, later on, Dunkirk, while the Prussians were advancing in Alsace.

But the Committee of Public Safety pulled themselves together with marvelous energy, and their deputies aroused the patriotism of the raw recruits. The civil revolt in La Vendee was put down with terrific

severity, 2,000 Vendean peasants being shot or drowned in the Loire. Lyons was bombarded and captured and 2,000 of its inhabitants were massacred.

The Committee of Public Safety carried out these atrocities openly and consciously, in an effort to strike terror into the enemies at home and abroad. Meanwhile the guillotine was set up in the Place de la Revolution, and its terrible work was begun. A Revolutionary tribunal was instituted in Paris and sympathizers with émigrés or royalty — in fact, all who were not ardent supporters of the Revolution — were thrown into prison. Marie Antoinette, the deposed Queen, was publicly executed amid the jeers of the Paris mob. Day after day the tumbrils rattled by and the nobles of France paid the penalty of their inheritance.

The Reign of Terror was not a wanton display of blood-letting. It was a deliberate attempt to gain the ends desired by "frightfulness," a method that has been used from time immemorial when war is being waged. It is customary to designate the slaughter of citizens by a revolutionary power as the "Red Terror," and that by a constituted authority as the "White Terror." Both are coldly calculated to win ends by means of force and fear.

After the first wave of the Reign of Terror had spent its force, the dominating spirits of the Committee of Public Safety began to fall out with one another, and it was not long until one after the other mounted the steps of the guillotine. In less than a year the Revolutionary leaders followed. In a remarkably short time the Revolutionary clubs were closed and the Convention found itself in danger of being turned out by the friends of monarchy. Soon the wealthier classes of Paris organized and prepared to resist the destruc-

tion of their property. The fury of the Revolution had begun to abate, the pendulum had swung to its limit, and was ready for a return to the other extreme of its arc.

NAPOLEON BONAPARTE

In desperation the Convention turned to the army to save it from annihilation, choosing for a leader a small, easy-going young Corsican officer who had been working in a clerical position in Paris. This young man was Napoleon Bonaparte. He turned the cannon of the Swiss guard into the streets leading to the Tuileries and mowed down the royalists with grape shot. The reactionaries were completely routed and the way was opened for the daring ambitions of the quiet young officer who dreamed of conquest and made his dreams come true.

Popular government in Europe was materially checked by the wars waged on that continent from 1795 to 1815. Napoleon played havoc with the countries of Europe, he "tore up the map" of the great part of that continent, and made himself and his next of kin kings and princes from Italy to the Scandinavian peninsula. But for all Napoleon's brilliant career, for all the glory he brought to France and to himself, Waterloo came on June 18, 1815, and with it the final downfall of the great Emperor of the French.

Napoleon established and made permanent the ideas of the Revolution along orderly, institutional lines, so that, while it must be admitted that he was a despot in every sense of the word, it must also be conceded that it took a Napoleon and a Napoleonic era to fix and establish equality in the eyes of the law, and nationality, if not liberty, in place of the indifferent herding to-

gether under one ruler of various peoples with no racial bond.

But Napoleon's greatest contribution to the world was the unsurpassed system of laws called the Code Napoleon, which has remained the law, not only of France but of practically all Europe, excepting England and Russia. It must always be remembered that though Napoleon destroyed political liberty, he preserved equality before the law; and by instituting a fairer distribution of taxes removed the disproportionate burden from the poorer classes and placed it on abler shoulders.

THE CONGRESS OF VIENNA, 1815

In 1814, the kings and princes whom Napoleon had placed upon European thrones, tumbled down amidst the general upheaval caused by his Russian campaign and his exile to the island of Elba. At once, the governments of the countries he had conquered reestablished themselves on their former royal seats. When Louis XVIII became King of France, the people seem to have made no resistance, largely because they did not know how to resist effectively.

With Napoleon out of the way, the rulers of Europe assembled behind locked doors at Vienna to undertake the delicate and dangerous task of smoothing out and remaking the rumpled map of Europe on an autocratic foundation. They based their decisions on the principle of "legitimacy"—that is, on hereditary right to throne and territory. They seemed never to have heard anything about "the consent of the governed." The words "constitution" and "revolution" were wiped out as being unfit to be used. The Congress was a remarkably selfish and undemocratic assembly. No

commoners were there; no representatives of the people; no mind filled with a wish to bring about a just and lasting peace for the sake of people who had borne the brunt of the wars. On the contrary, the Congress of Vienna was made up of Kings and representatives of Kings, the one thought in the mind of each being to get all he possibly could by fair means or foul.

The leading spirit of this gathering was the Austrian Prime Minister, Metternich, whose main idea was to get things back where they were before the French Revolution. England, Austria, Prussia, and Russia, the leading powers, agreed before the meeting as to the claims which each should press. After the Congress opened, the lesser powers were allowed to agree to the previously arranged plans. The members of the Congress acted like highway robbers over a pile of booty; they simply carved states into slices and distributed them about regardless of the nationality or the wishes of the inhabitants.

Germany, which had consisted of over three hundred states, was consolidated into thirty-eight states; Prussia got a slice on the Rhine as well as Pomerania and a large part of Poland; Russia was awarded Finland, a nation entirely alien; Sardinia, the largest state of Italy, came away much displeased because Austria had secured most of the territory that Sardinia wanted. Not being greedy, Switzerland was satisfied with a guarantee of neutrality. Denmark was not let off with a whole skin as she was compelled to give Norway to Sweden because Sweden had lost Finland. Norway objected, and drew up a Constitution, but on being allowed to have a separate government, she accepted Sweden's King as a ruler. Belgium was not on the map in 1815, for, regardless of the objection of the in-

habitants, the territory now occupied by Belgium was made part of the Netherlands. By far the larger part of Poland went to the Czar of Russia. To keep away from contact with France, looked upon as a hot-bed of revolution, Metternich consolidated Austria's possessions and annexed certain Italian States north of the Adriatic, thus making "unredeemed Italy" one of the sore spots of Europe.

England, as pay-master of the Allies, was in a position to get what she asked. She added the island of Ceylon and the Cape of Good Hope to her already extensive foreign holdings, so that at the close of the Congress of Vienna, the British Empire led the world in colonial possessions.

The Congress of Vienna did not try to make any plan that recognized the claims of nationality; in fact, it failed utterly to recognize any such claim. But the spirit of nationality continued to grow until to-day, at the close of the Great War, there is manifest a widespread and intense impulse of the peoples naturally related to join themselves into independent nations.

At the conclusion of its conference, which had been interrupted by Napoleon's escape from Elba, his last attempt to dominate Europe, and his final defeat at Waterloo, the Congress of Vienna summed up its deliberations, treaties, and arrangements in the "Final Act," which was issued for convenient reference. Presently the European monarchs and plenipotentiaries returned to their various countries, climbed upon their uneasy thrones, or into their insecure cabinets, devoutly hoping that an era of peace had begun. They set about ruling as if nothing had happened, as if there had been no French Revolution, no Napoleonic Wars,

no new birth of the spirit of nationality. Their recent painful experience had taught them nothing, nor did they pay any heed to the Industrial Revolution — already well under way — which, as the result of the introduction of machinery, was beginning to decrease the workmen's wages.

The rulers ignored the fact that the people were desirous of greater freedom. Each government tried to make itself strong by open treaties and secret understandings. They tried to set up a "Balance of Power" which would keep any one nation of Europe from becoming so powerful that it would be a danger to the others. The Congress decided to have regular meetings "for the repose and prosperity of nations and for the furtherance of the peace of Europe." In reality the purpose was to keep Europe under this control.

THE RETURN OF THE BOURBONS, 1815

After Napoleon, France went back to the Bourbons and the "legitimate" monarchy under Louis XVIII. The French Revolution was apparently repudiated, and governments seemed to slip back into their old grooves. Not only in France but throughout the continent, the excesses of the Revolution had frightened men at the possibilities of what might happen when the people assumed control of the state, with the result that for a number of years thereafter any evident movements looking toward more democratic ideals were for a time promptly crushed. But underneath the surface, popular discontent with existing conditions was at work, setting up the slower yet surer process of education in the place of revolution, while across the sea, in

America, the constant reminder of what men could do by way of self-government gave promise of a better day.

As might have been expected the people of France did not remain contented. Though Louis XVIII had granted a Constitution, they were not satisfied. When Charles X, who succeeded Louis XVIII, had no mind to rule tamely as a constitutional monarch, but set out to rule as he pleased, Revolution at once began to make headway. The elections of 1830 brought into the Chamber of Deputies a great number opposed to the King. Charles sought to overcome this difficult situation by suspending liberty of the press, reducing the number of voters, and virtually destroying the last vestige of popular government.

REVOLUTIONS OF 1830

Then came the July Revolution of 1830 with Paris as the center of activity. Charles X hastily abdicated and in short order the crown went to another Bourbon, Louis Phillippe, the "Citizen King." He paraded his democratic leanings as he went about among the people, dressed as a well-to-do merchant might dress and carrying a green umbrella as a sign of his liberal ideas. But 1830 did not liberate France, although the tri-color of the French Revolution took the place of the white and gold fleur-de-lis of the Bourbons. Political liberty was not much advanced; the power passed even more completely into the hands of the middle class bankers, speculators, manufacturers, merchants—the "bourgeoisie". Though the sovereignty of the people was proclaimed, it was in reality the will of only eighty thousand voters out of a population of thirty million.

The same restlessness that brought about the Revo-

lution of 1830 was stirring in other parts of Europe. Belgium, which the Congress of Vienna had added to William of Orange's Netherland dominions, was able by July, 1831, to throw off the yoke of the Netherlands, draw up a constitution based on the sovereignty of the people, and elect Leopold of Coburg as King. In England the "First Reform Bill" was passed in 1832, although Wellington, then Prime Minister, in the face of rotten and pocket boroughs and the unrepresented thousands in manufacturing towns, had insisted that the existing representation in England could not be improved upon. In fact by this time, liberal parties had developed in almost all the countries of Europe. These parties accepted the principles of the Declaration of the Rights of Man and Citizen. Because of the great changes wrought by the Industrial Revolution, many thinkers began to speculate on a possible complete reorganization of society and, to many, Socialism, which first appeared between 1830 and 1848, presented itself as a new method of solving the question of justice to all men.

REVOLUTIONS OF 1848

The next great wave of republicanism in Europe was felt in the year of revolutions, 1848. France then saw the establishment of the Second Republic. The Citizen King had kept himself in favor for eighteen years, his ministry ruling the country by organized bribery. In the meantime, things were going from bad to worse for the working-class. Finally the King abdicated, the government was overthrown and a National Assembly was elected by universal manhood suffrage to draw up a Constitution providing for a Republic. As a result of closing the National Workshops which had been set up,

hundreds of thousands of workmen were thrown on the streets. Then followed a period of dire confusion and misery which was brought to an end by the bullets and bayonets of the soldiers. Twenty thousand men perished, four thousand citizens were transported, thirty newspapers were suppressed, and the leaders of the opposition were imprisoned. The revolt was put down but at a cost of a lasting hatred between working-men and capitalists.

In November 1848 a new Constitution was promulgated and the elections took place. Among the candidates was Louis Napoleon, nephew of Napoleon I. His chief asset was his name — but it served to elect him. After a few years, by a sudden political move, he appealed to the people to confirm him as President for ten years. Seven and a half million out of eight million voted "yes" to the question he put to them. A few years later, following his great uncle's example, he made himself Emperor Napoleon III and began to rule as a benevolent despot, the government slipping back into the old grooves of absolute monarchy.

The year 1848 saw most remarkable revolutionary movements all over Europe. Like the visible shaking of an earthquake, the entire continent felt the impulse toward political freedom. In some countries the movement took definite shape and showed some real promise of change, but in all cases, except in France, practically nothing in the way of more democratic government came at that time. The influence of the popular discontent, of course, remained. The Hungarians and the Bohemians made vigorous efforts to shake off Austrian rule, but the Bohemians were crushed by a military force and the Hungarians were likewise overpowered so that their independence was put off for twenty years

longer. In Germany, the Frankfort Convention of 1848 met to draw up a Constitution for a United Germany. But because of the influence of Austria the work of the Convention was repudiated.

On the whole the Revolutions of 1848 did little more than register popular discontent. The day of liberation was postponed. The rulers of Europe, unable to read the meaning of these upheavals, congratulated themselves on their victory over the revolutionists.

Switzerland was the one lone republic that remained in Europe. England had a limited monarchy; but the England of 1848 was not the England of 1914. Greece had won her independence from Turkey in 1829 and had established a little kingdom of her own. Belgium, although a monarchy, had a liberal Constitution, one of the provisions of which being compulsory voting. The Constitution of Spain had a like provision. All the other states of Europe were monarchies of a greater or less degree of absolutism.

Thousands of the people of European countries desiring relief from the heavy burdens of autocracy and hearing of the land of freedom across the Atlantic, collected their few possessions and set out for the United States of America, a land that was indeed a land of promise to them. Among these were the best and most ambitious of all nationalities who, because of poverty had little chance for progress in the lands from which they came but who saw in this free country — their free country — an opportunity and a hope.

CHAPTER XI

THE GOVERNMENT OF GERMANY

There was a time, not long ago when German theorists, men who could not or would not learn the lessons of history, in their chagrin longed for a future which would set German life free from Prussian militarism. The present has taught them the lesson which the past could not teach, for to-day it is by militarism that not only the liberty, but the future of the German nation itself is upheld and we come to recognize its proper character without reserve; then it will be discovered where its weakness and where its strength lies. Then it can assert before the world that its greatest strength which has stood the test of the past and the present, is to be found in that which in the hour of direct need and danger saved the life of Germany: German militarism.

“Imperial Germany,” written in 1916 by
Former Chancellor von Bülow.

The government of the United States can be more clearly understood by comparing it with a government conducted on principles that are in strong contrast with the American idea of rule by the people; one that works on the principle that the heads of governments derive their powers not from the consent of the governed but from a sovereign power that comes with birth. Such a government is generally termed an Autocracy. Russia up to March, 1917, was an Autocracy; Germany until November, 1918, was in its essence an Autocracy. As it was against the German Empire that the United States was arrayed in the Great War, some knowledge of the development of the government and ideals of that country may well become a part of the American citizen's equipment.

EARLY HISTORY OF GERMANY

Although the primitive form of self-government common to all European countries appeared at an early date in Germany, and while local self-government has always flourished there, national self-government never developed on German territory. National unity, begun in the great tribal assemblies, gradually gave way to the domination of a brood of petty princes until, finally, anything like a national assembly died out. By the year 800, Charlemagne had united the territory now occupied by Germany, France, the kingdom of Austria, and a part of Italy into one great empire. This great and good monarch was crowned Emperor of the Romans, and thus was made the beginning of what later became the Holy Roman Empire.

After Charlemagne's death, his vast empire was divided among his three sons. The eastern part in time became Austria; the central part, at first extending across the Alps and into Italy, Germany; and the western division, France. Germany soon broke up into small kingdoms, principalities, and free towns. At one time there were upward of 1800 separate Germanic sovereignties each directly or indirectly under an absolute ruler.

In the course of years, the larger states of Germany, together with Germanic Austria, formed a league of nations "neither holy nor Roman nor an empire," which was nevertheless called the Holy Roman Empire. The only bond of union that held together this shapeless confederation was the person of the Emperor, who was elected by the leagued sovereigns. The Emperor was usually of the royal family of Austria, the famous Hapsburg dynasty, which for one thousand years con-

tinued the dominant power, until pushed out of the imperial league by the Hohenzollerns, an aggressive Prussian family, which, beginning in 1192 with the insignificant Mark Brandenburg, had developed the kingdom of Prussia.

NAPOLEON AND GERMANY

The Holy Roman Empire continued its uncertain existence until the beginning of the nineteenth century, when Napoleon, claiming not divine right to arbitrate the fate of nations, but simply the right of his "talents," played havoc with the Hapsburgs and Hohenzollerns in his astounding upsetting of the European chess-board. He tossed about Germany's three hundred states without regard to the desires of rulers or peoples and reduced their number to about forty.

Napoleon was especially hard on Prussia, which had risen to a position of dominance under Frederick, the Great Elector (1640–1688). His great-grandson was Frederick the Great (1740–1786), a military genius, who made his country strong for the sake of making his throne strong. Frederick the Great was a most thorough cynic, utterly disbelieving in truth and loyalty in individuals, and grimly using his subjects of "fools and paupers." Under Frederick, Prussia became a pure Autocracy, in which the prince with his ministers and officers ruled without restraint from any assembly of subjects.

As a result of Napoleon's outrageous treatment of Germany, the spirit of nationality was awakened. Once aroused it was kept alive by the memory of the march and counter-march of the French Emperor's armies across German territory. Napoleon battered down the Holy Roman Empire when he consolidated all the

German states — wisely omitting Prussia and Austria — into the “Confederation of the Rhine,” with himself as Protector.

MOVEMENTS TOWARD UNITY

After Napoleon’s downfall, the Congress of Vienna in 1815 set up a Germanic Confederation, a “loose league” of the sovereigns of thirty-eight states with a Federal Diet which met at Frankfort and was presided over by the Austrian representative. “It was not a government at all; it was a polite and ceremonious way of doing nothing.” It was a government somewhat like the one the thirteen colonies attempted to carry on under the Articles of Confederation. The states, not the people, were represented; there was no federal executive, the member states carried out the decrees only if they wished to do so. There was no federal army. No fundamental change could be made except by unanimous consent. This possibility of one vote’s power to block any proposed concerted action was termed the “liberum veto.” Moreover the Federal Constitution was built on no idea of German unity, nor did it provide any method of giving political education to the middle class of Germany. Unlike the people of the United States, the German people had not been free to develop a government for themselves; they had been and continued to be hampered by the outworn customs and the outlawed claims of rulers who held that the King was the source of government.

But there was a constant growth of liberal sentiment, led by broad-minded men who wished to see a united yet free and democratic Germany. They wanted the institutions of republican countries — a legislature controlling the budget, a free press, trial

by jury, a system of local self-government linked to the central government, an independent judiciary, and a national guard which would place control in the hands of the people. The efforts of these liberals were hindered by the narrow selfishness of the princes of the states, each of whom wished to keep all his kingly prerogatives and privileges and feared that he would be robbed of certain inherited honors and powers, if a real German union should be brought about. But in spite of the German sovereigns, during the first half of the nineteenth century, several well-defined attempts at uniting Germany under a liberal form of government were made.

THE CONSTITUTION OF 1848

Though little was accomplished by these movements, the desire for constitutional liberty was kept alive. Germany felt the Revolutions of 1848 to such a degree that Frederick William IV, King of Prussia, a mean and timid soul, allowed a National Assembly of six hundred delegates, elected by universal suffrage from all the German states, to meet in convention at Frankfort, for the purpose of drawing up a Constitution. The Convention was made up of men who, though they had met for the final organization of the German Government in the name of the German people, had no real authority. The assembly could lay plans, but the government alone could pass upon them. After some difficulty as to membership in the proposed union, it was finally decided to include only Prussia and the states that had belonged to the German Confederation of the Rhine of 1815. This omission of Austria relieved Prussia of the only rival that she feared.

When the Constitution was finally completed, the im-

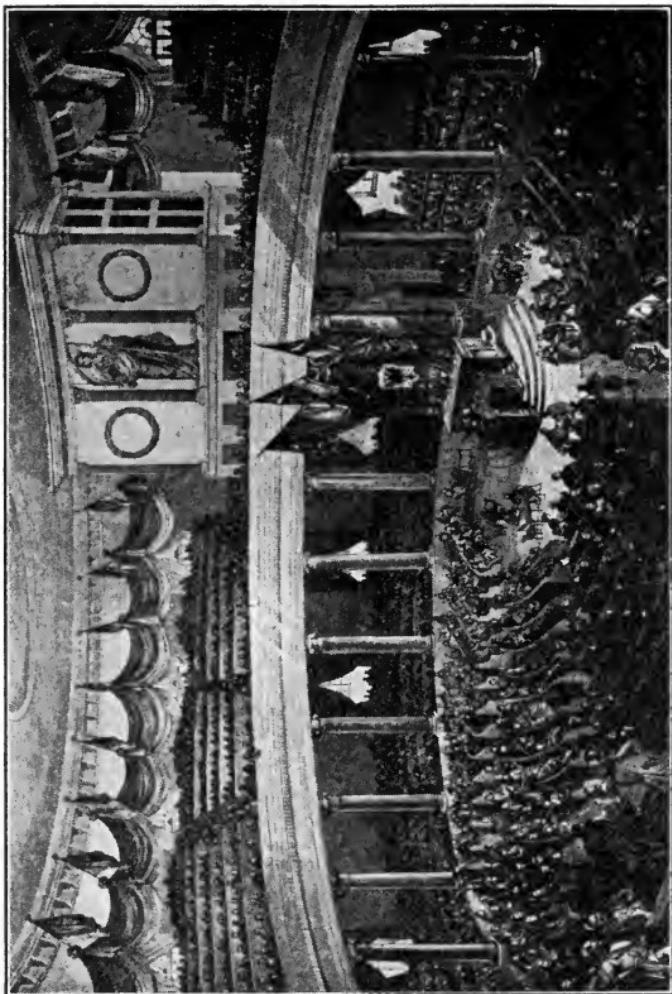
perial diadem was offered to Frederick William IV. But by this time, Frederick had secured the backing of the ruler of Austria, who had been busy gaining the support of the princes of southern Germany. Emboldened by this sympathy, he refused the crown, indignantly denying the right of the Frankfort assembly — a mere gathering of representatives of the people — to bestow any such honor. He would take the crown from no such unauthorized body, saying that in his opinion, the princes of Germany alone had the right to offer to any one the headship of the empire.

After an unsuccessful attempt at founding a representative government, the National Assembly went home discouraged and confounded. Their failure cannot be laid to their lack of a practical plan. The Constitution they prepared was the work of high-minded and able men, who believed the German people capable of working out a government on the principle of fair-dealing to all men. Its failure may be laid rather to the lack of an army and executive machinery of government with which to carry forward the decision of the Convention. Many of the men of the Frankfort Assembly lost heart, and despairing of success in their native land, left Germany for other lands, great numbers of them coming to the United States.

A short time after the Frankfort Assembly broke up, Frederick William IV, frightened by the popular unrest, submitted a Constitution of his own for the government of Prussia, although he had once indignantly said that he would never allow a sheet of paper to make its paragraphs the rulers. He still held that the sovereign power resided in the King, but he admitted that the King might, if he wished, allow the people to share in the government. This Constitution of 1849, with a

THE FRANKFORT CONVENTION, 1848

If the work of this convention had been accepted, European politics might have taken another direction



few unimportant changes, remained the Constitution of Prussia up to 1918. Under it a Prussian parliament called the Landtag was established.

RISE OF PRUSSIA

Though Austria had dominated Germany, she was not to continue to exercise supremacy; for soon, Prussia, under the Chancellorship of Bismarck, the most skilful and powerful statesmen of modern times, began to assume a dominating position. At the time of the advent of Bismarck in the diplomatic circles of Europe, Germany was composed of thirty-eight states, each with an independent sovereign. Among these states an intricate system of duties for exports and imports existed, to the economic detriment of all. In 1834, a "Zollverein," or tariff-union, had been formed, the effect of which on profits had been marvelous. This commercial affiliation was the forerunner of political union and was a long step toward a real unification of the Germans.

In 1861, William I became King of Prussia and set out as a practical ruler. He so organized the army that there were soon, either in active service or in the reserves, four hundred thousand men ready at the call to arms. William I lengthened the compulsory term for active service to four years and the reserve term to three years, so that seven of the best years of all German men were devoted to military training. This system was so effective in making a great army that it became the basis of military service in nearly all European countries.

BISMARCK MAKES A GERMAN EMPIRE

William I had hardly come to the throne when he got into a deadlock with the Landtag over army

appropriations, which needed to be greatly increased to enable him to carry out his plans. In this strait the King appointed Bismarck Chancellor. Bismarck was a Junker, that is, a landed gentleman of East Prussia; he was an intolerant aristocrat, but he was bent on making a united Germany, with Prussia as the controlling state. With this end in view, the new Chancellor began to increase the power and prestige of Prussia. As the first necessary step, he humiliated Austria in a war which he provoked in 1866. This done, he cut off all political connection with that country. By a war of conquest which he made to seem a war of defense, he annexed not only Danish Schleswig-Holstein, but Hanover, Hesse-Cassel, Nassau, and the free city of Frankfort. The people of these territories were thenceforward to be Prussians in language, customs, and law, although none of the annexed communities had been consulted as to their wishes.

In 1867, the time being ripe for such a move, William I and the rulers of the North German States formed the North German Federation under the guiding hand of Bismarck. After the sovereigns had agreed upon a constitution, it was submitted to a provisional Reichstag elected by the people of all the states. This assembly did little but ratify the proposed scheme of government; when the majority disagreed with Bismarck, the majority yielded. For instance, the Reichstag voted for a responsible ministry and payment of members, but, as Bismarck was opposed to both ideas, neither principle was put into the Constitution.

The North German Federation was so planned that when the southern states — Bavaria, Wurtemberg, Baden, and South Hesse — knocked at the door for admission into the German union at the close of the

Franco-Prussian War of 1871, they were accommodated without any change in the original document. The door opened easily and the North German Federation became the German Empire, with Bismarck's Constitution as the fundamental law and the King of Prussia as the Kaiser of Germany in perpetuity.

The contrast between the origin of the German Constitution and the origin of the Constitution of the United States of America is striking. The American document was drawn up by men tried in war and in peace and skilled in the affairs of practical government; it was in the main based on a series of compromises made to satisfy the needs and wishes of the people of divergent occupations and modes of living. It was wrought out by the best minds of America and before being put into operation, it was sent back to the states for ratification. During the period of ratification, it underwent the keen and pitiless criticism both of men who had worked to frame it and of men who sought to destroy it. After much public discussion it was accepted and set up as the fundamental law of the United States of America. All this happened eighty years before the formation of the North German Confederation.

THE GERMAN GOVERNMENT

The government of Germany up to the last months of 1918 was a federation like that of the United States, consisting of twenty-five states and one imperial territory, Alsace-Lorraine. There were four kingdoms, eighteen duchies, and three republics — the city states of Bremen, Hamburg, and Lübeck. Whoever was King of Prussia was the Kaiser of Germany. The laws of the realm were made by two bodies, a sort of King's council, composed of delegates appointed by the princes

of the various states and called the "Bundesrat," and an assembly elected by the people, called the "Reichstag." All taxes were voted by the Reichstag. The chief minister of the realm, the "Chancellor," was appointed by the Kaiser and presided over the Bundesrat.

At a casual glance this may seem a democratic arrangement, resembling in many ways the scheme of government which holds in the United States of America. In reality it was far from democratic in its intent or in its working out. The Bundesrat, as interpreted by Bismarck and apparently accepted by the Germans, was the seat of imperial sovereignty. In other words the Government of Germany derived its "just" powers from a council made up of representatives of the princes of the sovereign states which composed Germany. Its members were instructed delegates appointed for life by the sovereign princes of the various states of Germany to represent their interests in the empire.

Unlike the usage of the Senate of the United States, the German states did not have equal votes. There were fifty-eight members. Of these Prussia had seventeen; no other state had more than six, while seventeen had only one vote. The delegates for each state voted as a solid block and as directed by the king of that state. Fourteen votes against any measure vetoed it. Thus it is easy to see that the controlling power of the Bundesrat was lodged in the King of Prussia. All laws for the Empire were initiated in the Bundesrat because, as the Reichstag of itself was powerless to make laws over the veto of the larger body, it was useless for the popular assembly to attempt to force measures. The Chancellor, the vital center of the imperial admin-

istration, was responsible to the Emperor who need give an account of his acts to nobody. Thus the Chancellor was "the responsible proxy of an irresponsible emperor." All the debates of the Bundesrat being secret, no part of its proceedings ever went into the newspapers, and consequently little was heard of it. It did its work quietly and effectively.

While nominally the Emperor had no veto on the proceedings of the Bundesrat, he possessed the substance of that power for he controlled at least twenty votes, whereas fourteen could hold back any measure. The Germans were in the habit of calling this method of conducting the business of the nation a "government by experts."

The Reichstag consisted of three hundred ninety-seven five-year members, elected by men over twenty-five years of age. This body voted the appropriations proposed by the Bundesrat, but, failing to approve the proposed budget, the taxes of the year previous were continued until new ones were granted. The imperial treasury therefore was never in danger of becoming empty. The Reichstag had no control over the Chancellor; its disapproval, expressed by a vote of "lack of confidence," could not shake him from his seat. It was rendered still less useful by the distribution of representation which had not been changed since 1870. Such rapidly increasing cities as Berlin kept their 1870 representation, as did East Prussia where the population was for a long time unchanged.

The Emperor appointed the Chancellor from among the Prussian delegates to the Bundesrat; the Chancellor in turn appointed all the heads of bureaus and ministers. The Emperor could at his pleasure dissolve the Reichstag; he was commander-in-chief of the army and

navy; he could declare a war of defense. Under the Bismarckian policy, it may be added that no German war ever was "offensive." No machinery existed whereby the Emperor of Germany could be impeached, *as he owed his position to God alone.* At his coronation William I said, as he placed the crown upon his own head, "The crown comes only from God, and I have received it from his hands."

The Emperor had almost absolute control over foreign relations; he could make or break foreign treaties without the slightest knowledge of the Reichstag. In short, by masterly state-craft, Bismarck succeeded in establishing a seemingly constitutional government which in reality gave absolute power to the man who was at one and the same time the King of Prussia and Emperor of Germany. Every suggestion of real parliamentary control was avoided; the Reichstag had no hold on the government; it had only the negative power of refusing to pass laws.

THE KINGDOM OF PRUSSIA.

The real source of the Emperor's great power lay in his control of Prussia, the very heart of the German Empire. Prussia contained two-thirds of the territory and of the population of Germany. The Landtag of Prussia consisted of two chambers — the house of Lords (Herrenhaus) and the house of Representatives (Abgeordnetenhaus). The "governments," that is, the King, over whom the legislature had no control, initiated all the proposed laws. The composition of the Herrenhaus was left to royal ordinances. If the Herrenhaus should oppose the measures of the King, he could create new lords to carry his plans through. The Herrenhaus had a veto power over the legisla-

tion approved by the “popular” house; the King an absolute veto on any measure passed by the entire Landtag.

The people of Prussia were granted universal manhood suffrage with peculiar conditions attached to the privilege. Every man over twenty-five had the right to vote for the members of the lower house. But all taxable property, all the material wealth of the Prussians — land, money, and personal possessions — was put into one great heap and divided into three even parts. The combined owners of each part paid an equal amount of taxes and were given an equal number of delegates in the house of representatives. Thus the great land owners, four per cent. of the whole Prussian population, paid one-third of the taxes and elected one-third of the legislators; the wealthy middle class, fourteen per cent. of the population, paid one-third of the taxes and elected the second third; and finally, the working classes, eighty-two per cent. of the people, paid the remaining third of the taxes and elected the remaining one-third of the legislators. This was the Prussian system of electing a “popular” body. To this was added one last straw for breaking down the rule of the people — the method of voting was by the living voice, because, stated the law, “nothing is so indispensable to a free people as the courage to express one’s conviction publicly.”

How such an absolute government as that of the German Empire grew up and continued to exist in the midst of the growing democracy of Western Europe is a question that might well be asked. A direct and simple answer is not easily given because the question involves a very complex, many-angled series of situations. In Germany, as in every other country, the ac-

tual process of government is hard to understand. It refuses to be put into a set of rules. Autocratic Germany had its decidedly democratic features; democratic France is by no means a true democracy; the United States of America has its autocratic economic system. Though there doubtless were many causes that contributed to establishing the autocratic militaristic system of Germany, there is no doubt that Bismarck and the Bismarckian policy had more influence than all other causes put together.

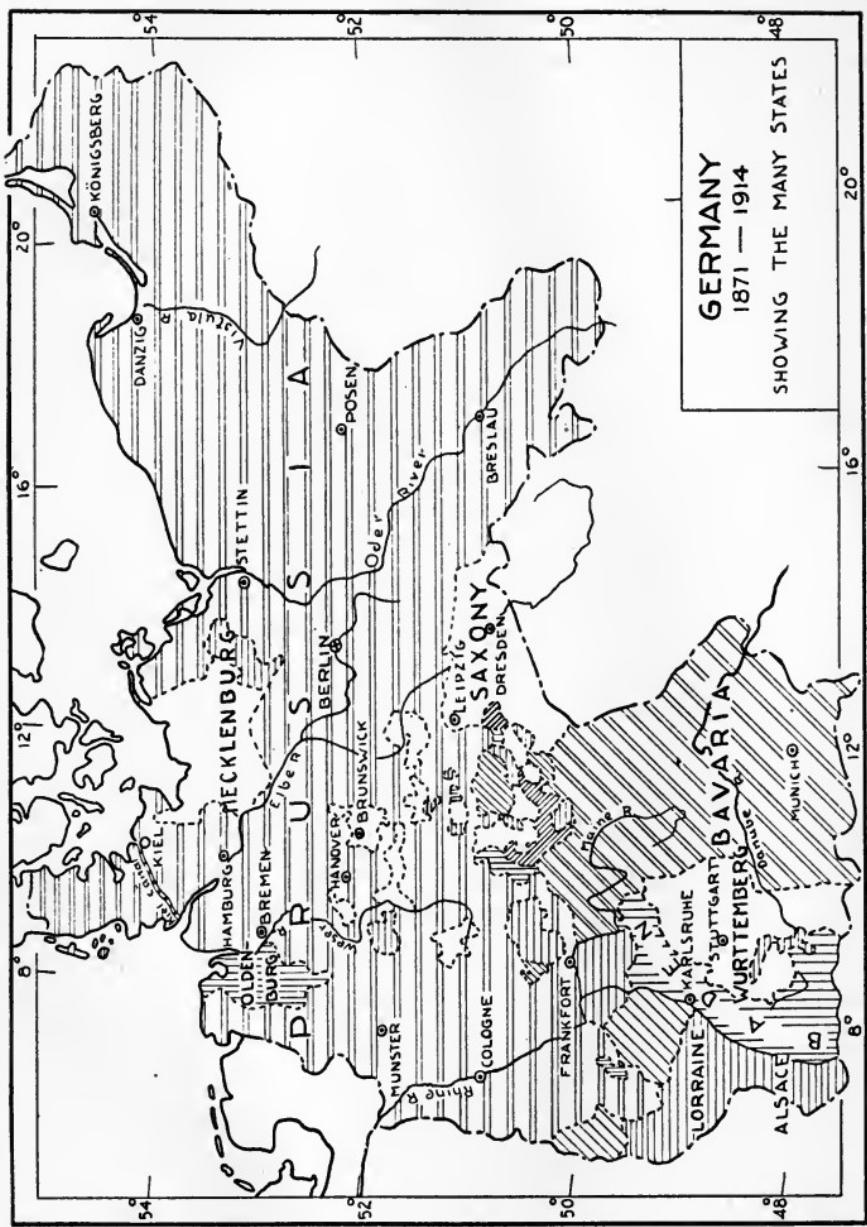
After the days of the French Revolution, after the scourge of Napoleon, the spirit of nationality coupled with the spirit of growing democracy animated the German people, who longed for a united Germany with liberal institutions. But when the Congress of Vienna made the settlement of Germany under the Federal Constitution, the spirit of liberty was thwarted. Yet in spite of this check, the movement toward constitutional government went steadily on. By 1848 the universities of Germany had united the German people in thought and ideals, and South Germany was ready for changes directed by popular will. But militaristic Prussia barred the way to unity on a liberal basis, though even Prussia might have been converted to the movement that was sweeping western Europe had not Bismarck come into power at the time that he did. Just when William I of Prussia was ready to yield to the pressure of the Landtag, Bismarck, as Chancellor, took the reins of government.

MILITARISM

The Iron Chancellor came to his office with a definite end in view. He, as well as the German progressives, wished to see a strong united Germany, but he

scorned the popular will and refused to be led by "uninstructed majorities." For a number of years he played a desperate game with the public opinion of Prussia and all Germany against him. But he stuck to the task he had set himself. His plan was to unite Germany with Prussia, not Austria, as the controlling state. The Prussian army was to be the mighty instrument by which the union was to be effected. *Bismarck never lost sight of this clearly defined purpose.* By means of successive and successful wars waged in alleged defense of the Fatherland, he brought all the states of Germany under one banner with the King of Prussia as the "War Lord" and Kaiser of the German Empire. Bismarck himself said that the liberals paved the way for German unity, but that the Prussian army by force of arms made German unity a reality. It was the pride and exultation of victory that brought the great mass of the German people to accept Bismarck's leadership.

From the time of the establishment of the German Empire, the German Government became fixed on the foundations laid by Bismarck as an autocratic government supported by a great army. Bismarck made Germany a united nation on his own terms and by methods that he conceived to be justifiable. He declared his belief that the unity of Germany was not to be brought about by parliamentary debates but by "blood and iron." He believed that the will power of the nation would not be strengthened by strife between ruler and people but "by the clash of German pride, honor, and ambition against the foreign power." When Bismarck found it possible, he worked with a majority; when the majority went against the government, he over-rode it or worked to bring about a new

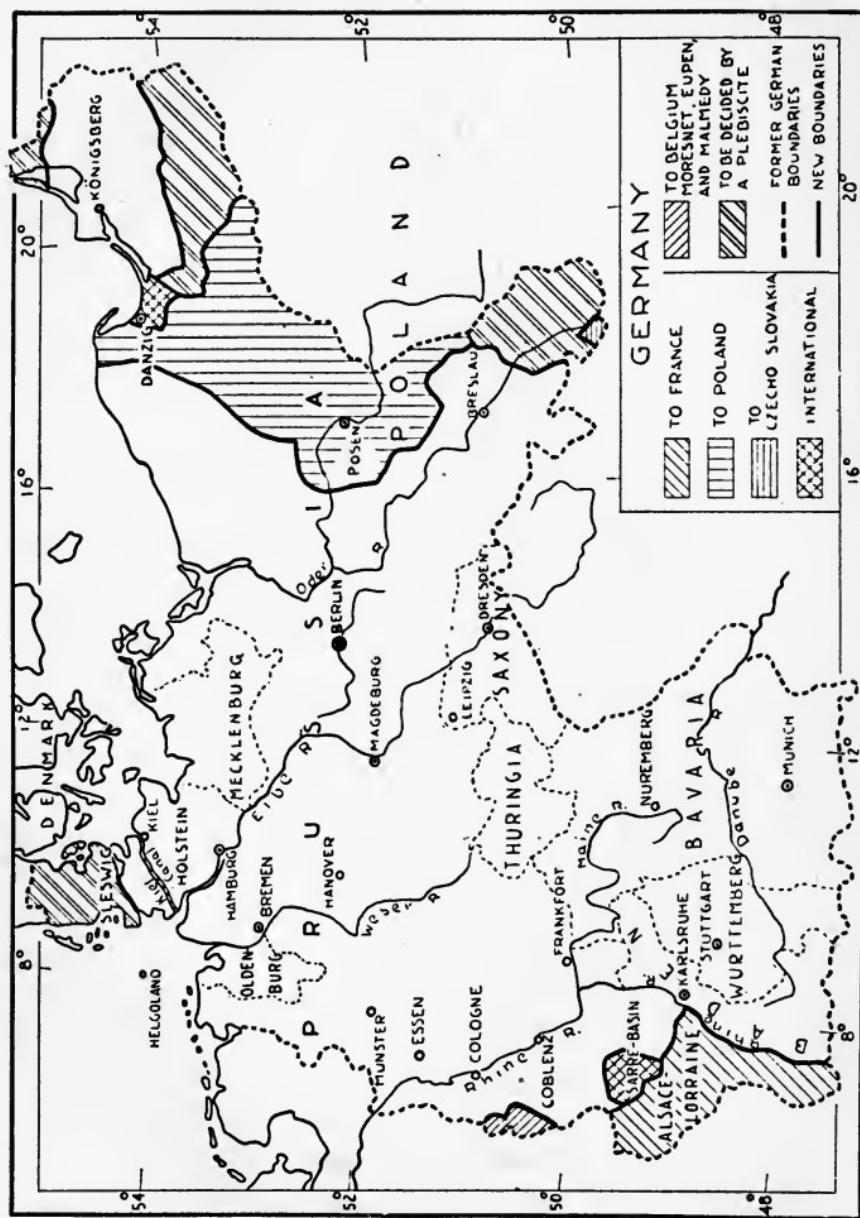


majority which would support his policy. And Bismarck's policy succeeded. Not only was it a fact that the newly nationalized Germany was prospering in every way — materially, intellectually, and scientifically — but it soon came to pass that under Bismarck's successors the German Empire was a powerful and aggressive nation, carrying on definite plans of expansion in all parts of the world.

GERMAN THEORY OF THE STATE

Out of national pride, fostered by undoubted successes at home and abroad in every branch of endeavor, out of the strength and power exercised by the German Government there grew up a new ideal of the state. Bismarck's principles of diplomacy seemed to prove the ideal true. In this view, the state was thought to be an institution apart from the people, who existed only to make the state strong. The state came first, as individuals received their rights from the state.

This theory seems to have been accepted by the aristocratic and militaristic classes of society. It was held and taught by German leaders of thought. For forty years the brilliant von Treitschke, professor of history in the University of Berlin, expounded this view of the state to the young men who crowded to his lecture room, until it became familiar and seemed plausible. According to von Treitschke, the state, being above the people, is bound by no moral law; its first duty is to be powerful. A state has no right to exist unless it can maintain itself against foreign aggression. Self-determination and self-direction could never be permanently accorded to weak and insignificant nations, no matter how strong might be their claims to nationhood. Von Treitschke believed that the lives of nations were guided



by the principle that might makes right, that in the struggle for existence the weakest must of necessity go to the wall. Bismarck himself had held that goodwill, which he conceded to be everything in matters of morality, was of little or no importance in the life of a nation; that ability was the only thing that counted.

As in this view the first duty of the state is to be powerful, it followed that every citizen must share in making the state irresistible in war. Universal military service was necessary. To be good soldiers, citizens must be physically strong, they must be protected in life and limb. Hence followed much legislation to insure safety of person and compensation for accidents. Moreover a state founded on such principles must remove its citizens from the fear of an unprovided old age; hence there were instituted old-age pensions and state insurance.

To make the Germans the very best feeders of the state, an effective system of government control of education, of politics, and of agricultural development was put into operation. Every human being in the entire country was card-catalogued; every industry, every occupation, every skill was listed, rated, and reduced to a matter of figures; a minute summary of the dimensions of every house was in the hands of the government. The Germans lived and breathed to order and by orders, thus exemplifying the fact that routine is the only safeguard of the people under a perfect autocracy. In a word, efficiency became the German governmental and household god.

In searching for the reasons explaining why Germany kept her undemocratic form of government while the rest of Europe was moving toward democracy, three facts merit consideration. In the first place, Germany

had become a united nation under the lead of militaristic, autocratic Prussia, and because the Prussian army had made Germany a nation, the army became the visible expression of the German national spirit. As may readily be seen, the army was anything but helpful to the growth of democracy. In every German home a living unit of the German army was seated at the hearth-stone. Fathers and sons were German soldiers, either active or in the reserve, and they were imbued with the necessity of a great army of "defense."

Moreover, the new German nation was prosperous almost beyond belief. The country was rapidly growing rich. The government helped in every possible way, even giving financial aid to industries that were in need of funds. German schools, compulsory and regulated by government, were considered the best in the world. Germany took the lead in science, a degree from a German University being a coveted prize.

DEMOCRACY IN GERMANY

Finally, the demands of democracy were partially satisfied by the exercise of local self-government. In municipalities and towns, the people had the controlling voice. German towns were models for imitation by the whole world. From the cities of the United States, of England, of South America, of Australia, came junketing aldermen to study German municipal methods that they might imitate them in their home cities.

As a matter of fact, the German Government was not so undemocratic as one would have expected to find it under the bureaucratic system of the Empire. The people of Germany were listened to by the government and public opinion had great influence in determining

general policies. A member of the Reichstag could openly speak his mind in the sanctuary of that assembly. As a consequence, the Reichstag has been the forum of many varying opinions and the utterances of its members have influenced the political parties of Germany deeply. Even Bismarck had to yield when he found that he could not stamp out the Catholics, and to get the best of the Socialists he had to rob them of their thunder by instituting the very reforms they advocated.

This brief discussion of the German Government and ideal should help Americans to understand more clearly the democratic ideal on which the government of the United States is founded. Our country fought to overthrow autocracy; to strike a death blow at militarism in the hands of an absolute ruler. These purposes were acclaimed again and again by the Allies as well as by the United States. If the world *has been made safe for democracy*, the price was not too great. One thing is sure, the world will never stay safe for democracy unless the people themselves are determined that it shall be so.

CHAPTER XII

REVOLUTIONARY THEORIES OF GOVERNMENT AND ECONOMIC RELATIONS

Here we are not afraid to follow truth wherever it may lead nor to tolerate error so long as reason is left free to combat it.

Thomas Jefferson.

Truth is the proper and sufficient antagonist to error, and has nothing to fear from the conflict unless by human interposition disarmed of her natural weapons, free argument and debate; error ceasing to be dangerous when it is permitted freely to contradict them.

Thomas Jefferson (Statute of Religious Freedom).

If it is necessary to study the former autocratic government of Germany in order to get a clear notion of the principles underlying the government of the United States, it is vastly more important, for the same reason, to examine the revolutionary theories of government and economic relations which advocate the entire reconstruction of the social and political order as a means of correcting the injustices and inconsistencies that exist in society. For, while the autocracy of Germany is in all probability permanently overthrown, the standards of revolution are attracting many adherents and are influencing the thought of the world.

All the revolutionary theories that are agitating the world to-day look to the ages-old idea of communism as the cure for existing evils. Communism is that system of economics which advocates the abolition of private property and the introduction of common ownership of goods, at least as far as capital or the means of

production is concerned. This basic theory is the source of an innumerable variety of plans, some of them mild, some extremely drastic, for the regeneration of society and government so that exact justice will be realized by everybody.

From the most ancient times there have been set up, at intervals, certain partially communistic systems and institutions. For instance in Jerusalem, near the beginning of the Christian era, a voluntary Christian communism, based on true charity and equality, was undertaken. But none of these attempts long succeeded, because they proved unworkable, and for the purposes of the American of to-day their consideration may be disregarded. It is far more important now to center attention on the modern revolutionary theories that have their roots in the great development of industry which began in the latter part of the eighteenth century. At that time a movement started which resulted in the division of society into the ranks of capital and labor, or, as the social-revolutionary puts it, the "proletariat," the homeless, floating population of our great cities; and the "bourgeoisie," the capitalists who have worked up from what was formerly the middle class to a controlling position in the economic world.

Among the most active present-day revolutionary movements are Socialism and Anarchism. Other manifestations variously called Bolshevism, Syndicalism, and I. W. Wism are the offspring of the one or the other or of both of these parent theories. The task of gaining an understanding of the confused and confusing masses of written material that have to do with the theory and practice of these revolutionary principles is not an easy one. One may read books by socialists and anarchists, by anti-revolutionists and middle-of-the-road

writers, and yet remain in the outer dark. In the words of an ardent American revolutionist, there "is the most difficult confusion of bedfellows to disentangle limb from limb, smooth out and lay on their pillows so that one can see them." But as revolutionists are all about us, it becomes an imperative duty to attempt to find out something of the beliefs, aims, and programs of the various groups that are in general terms called by others and by themselves "revolutionary."

SOCIALISM

Socialism first appeared about one hundred years ago when the wretched condition of the working classes, caused by the invention of machinery and consequent introduction of the factory system, called for measures of relief. The first socialists are not considered really such by their modern offspring, who characterize the early ideals and the attempts at realizing them in actual practice as unscientific and "Utopian,"—in fact, as thoroughly unpractical and silly. They look upon such persons as Robert Owens, the rich English manufacturer, who, in order to work out his communistic theories, founded an unsuccessful coöperative colony at New Harmony, Indiana, as benevolent but hopelessly visionary.

Modern or "scientific" Socialism was founded by Karl Marx (1818–1883) who, though a native of Germany, spent most of his life in England, where he wrote "Das Capital" (Capital), the bible of socialism. The cardinal doctrines of modern socialism appear in the "Communistic Manifesto" which Marx and his friend Engles published in 1848, the year of European revolutions. This "Communistic Manifesto," one of the great documents of the revolutionists, was destined to

become the creed of the greatest international political movement the world had ever seen.

Marx based his theory of Socialism on two main "discoveries—" the "materialistic conception of history" and the secret of the growth of capital by means of "surplus-value." Through these two "discoveries," according to the disciples of Marx, socialism became a "science."

"The materialistic conception of history" is sometimes called "economic determinism." These two mouth-filling phrases, as well as some others, must be chewed and digested if one is to understand what the socialists in our midst are talking and writing about. By the "materialistic conception of history" Marx meant that the entire history of mankind with its political, religious, and moral phenomena is but a grand process of evolution, wherein nothing is stable except the constant law of perpetual change. All progress, he argued, has come by means of class wars waged for the purpose of gaining clothing to wear, a place to dwell, and, above all, food to eat. That is, Marx held that no really important changes were effected by such things as the coming of Christ, or the spread of Mohammedanism, the Crusades, the Renaissance, the Reformation, the discovery of America, the invention of printing, or by the lives of any of the great leaders in art, science, invention, or religion.

In other words every change in the history of the world was caused by the struggle for existence. Of course such a theory as this throws overboard all moral laws and all ties and duties that civilized men have considered as just and binding. According to this system of philosophy, the human race must continue in the direction indicated by Marx, because the onward move-

ment of evolution cannot be controlled. The world, said Marx, has passed through successive class struggles; the first, between master and slave; the second between serf and lord or king; and the third, which is going on to-day, between the capitalist and the laborer.

The other "discovery" that helped to make socialism a "science," and which Marx called "surplus value," may be explained thus then put into simple words: A man who works in a factory at four dollars a day makes in four hours a chair out of materials that cost two dollars. The chair is sold for eight or twelve dollars. The employer gets the difference between the price he puts on the chair and the money paid for materials and labor and thus speedily grows rich. The more men he employs, the richer he gets on the "surplus value" of the men's time. Marx held that this "surplus value" belonged to the man who by his labor made the increase in capital. This rather crude illustration will help to show what is meant by the term, "surplus value," that one is bound to hear from the lips and see in the writings of socialists.

Marx held that all wealth comes from labor, and as labor produces the capital necessary to establish factories, railroads, and other sources of wealth, he would have labor own all capital employed in producing wealth. Marx's scheme called for a complete reorganization of the world. The family was attacked as the basis of economic society; marriage was held up as an institution of oppression to women, who should be ruled in their marriage relation by love alone; the relation between husband and wife was to cease as soon as love between them had departed; children were to become wards of the state; mutual obligations of parents and children were to be wiped out; the Church was held up

as the bulwark of oppression, which must be swept away with other out-worn institutions of society. These changes were to be brought about by force.

The Manifesto ends with these words of unmistakable meaning: "The Communists disdain to conceal their views and aims, they openly declare that their ends can be obtained only by the *forcible* overthrow of all existing social conditions. Let the ruling classes tremble at the Communistic revolution. The proletarians have nothing to lose but their chains. They have a world to win. Working men of all countries, unite!"

Marx and his followers held up a picture of the time to come when the idle would be set to labor, when no one would become rich at the cost of his neighbor, and when every person would have an opportunity to develop the best that was in him. There would be no more poverty, no more disease, no more crime — all people would live together in harmony and brotherly love. The individual counted for little, the mass of people for everything. In his social scheme, Marx opposed state-ownership of the great instruments of production under the existing state; nothing short of complete abolition of the state as a national unit could bring about the reorganization of the social fabric of the world that he aimed at.

By Marx, as by later socialists, the idea of nationalism and patriotism was cried down as a merely false sentiment invented by capitalists to befool the common man into doing capital's bidding and keep the workers of the world from internationalism, the goal toward which the world was inevitably moving. Marx therefore sought to realize the ideas of "scientific" socialism by organizing the people in all the countries of the world into a great Socialistic Society, the "In-

ternational" as it came to be called. But though there were a few meetings of the International, it has never had any great effect on the movement of socialism, which has developed most widely within national boundaries. The doctrines of Marx, which are still held in the main by the great body of socialists, underlie the platform of all socialistic political parties throughout the world, though they have not all been directed along the same lines.

The movement that most closely followed Marx's doctrine was developed in Germany as the Social Democrat party. It kept its original Marxian features, probably because of the limitations placed upon all parties in Germany by the undemocratic government of that country. Not being allowed to initiate reforms, it remained largely a theoretic but nevertheless forceful protest against social and economic injustices. In the other European countries, Socialism assumed a modified and more practical form.

Socialism, as generally accepted to-day, is an ideal economic system in which industry is to be carried on under social direction and for the benefit of society as a whole. It is contrasted with the competitive regime of existing society. Its main feature is "collectivism," a belief in bargaining by a group of workers instead of by individuals. Socialism implies a changed attitude toward property holding. Our economic life at the present time is dominated by private property, under the control of which the world's work is carried on. Socialists hold that the whole process must be reversed so that by the substitution of collective ownership of the great material instruments of production, the world's work may ultimately be carried on by the agents of the government.

ANARCHISM

Anarchism, another revolutionary movement, which had for its sponsor Pierre Joseph Proudhon (1809–1865), a French contemporary of Karl Marx, began about the same time as did Socialism. Proudhon held that "Property is theft." He summed up his political creed in the phrases, "No more parties, no more authority, absolute liberty of man and citizen."

Proudhon believed in using peaceful measures, but not so Mikhail Bakunin, a Russian leader of Anarchism (1814–1876). In 1869 he founded the Social Democratic Alliance, a society of working men which affiliated with Marx's International. It was not long until Marx and Bakunin separated because of a difference as to method of bringing about a revolution. Marx would secure economic reforms through political action, and peacefully, while Bakunin would improve the lot of working men by general strikes—"direct action"—without reference to government and with the help of terrorism.

The spirit of Bakunin's kind of Anarchism is well indicated in the words of the Revolutionary Catechism written by a friend of the Russian leader. "The Revolutionary Anarchist will use every measure and every effort to increase and intensify the evils and sorrows, which must at last exhaust the patience of the people and excite the insurrection *en masse*. The only revolution that can do any good to the people is that which utterly annihilates every idea of the state and overthrows all traditions, orders, and classes. With this end in view, the Revolutionary anarchist has no intention of imposing upon the people any organization coming from above. The future organization will without doubt proceed from the movement and life of the

people; but that is the business of future generations. Our task is destruction, terrible, total, inexorable, and universal."

Anarchism is based on a revolutionary theory that leads in an almost exactly opposite direction to Socialism. Socialism would employ a democratic government, Anarchism would employ no government at all. All public property would be transferred to independent groups of working men. In these groups, united to each other by mere federation, each individual would receive the entire product of his work. All governmental functions would cease. Absolute liberty and equality must be granted to individuals. Anarchists believe that order will come of itself, once class distinction and the domination of the rich are abolished. Every one will be jealously careful of the right of each individual to do as he pleases, as long as he does not inflict unwarranted injury on others. The only social bond will be the "free contract"; that is, each individual may of his own free will enter into contract with other individuals as he chooses and for as long or as short a term as he may desire. The state will have no power whatever to compel any man to keep his "free contract."

To bring about this ideal state, the anarchists would not employ political measures as socialists for the most part are content to do. Therefore anarchists scorn political parties and parliamentary discussions. They appeal principally to violence and force, using explosives and other instruments of destruction as the quickest means of getting rid of the existing social order. As to what will happen once they get rid of the present state of things, anarchists seem to be not very clear, as the "catechism" suggests.

The two aspects of Anarchism that are most influential to-day are Syndicalism and the movement that goes under the name, "The Industrial Workers of the World," or as it is commonly termed, the "I. W. W."

SYNDICALISM

Syndicalism is a form of revolutionary labor unionism which gets its name from the general term, "*syndicat*," as the labor union is called in France, where the movement has made greatest headway. Syndicalism stands opposed, on the one hand to the old-line trades-unionism and on the other to political Socialism. It aims at direct seizure of all industries by organized bodies of workers. It does not work for "collectivism" or the ownership and operation of industries by the state, but, as far as can be learned, it proposes to give control of the various industries to the people who work in the industry. Thus the railway employees would own and run the railways; the miners, the mines; the shoemakers' union, the shoe factories; and so on. Syndicalism has no faith in reforms through the ballot nor in armed revolution. It seeks first to tire out the capitalist and kill his interest in property through curtailment of profit by means of strikes, boycotts, and destruction of machinery, and finally to overrun the tottering capitalistic system through "general strikes."

THE INDUSTRIAL WORKERS OF THE WORLD

The Industrial Workers of the World is a revolutionary order that was organized in Chicago in 1904 by a group of radical labor leaders. Its motives and purposes are similar to those of Syndicalism, but it stresses the "One Big Union" idea. That is, the I. W. W. aims to include all workmen regardless of craft, skill, wages,

or living conditions. The character of the I. W. W. organization may easily be seen in the preamble to their platform: "The working class and the employer class have nothing in common. . . . Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system. Instead of the conservative motto 'A fair day's wage for a fair day's work,' we must inscribe on our banner, 'Abolition of the wage system.' "

In the view of the I. W. W., the employer has become a mere useless growth upon the body of society; no agreement between worker and employer can have any binding force; permanent settlements are impossible. Therefore the I. W. W. strikes at a time when the blow will be most effective. The I. W. W. does not approve of destruction of the factory or mine as he hopes to take over the industrial plant in good working order, but when the rush season is on, or when the time limit of contracts is up, the I. W. W. calls a strike. When all injury possible at the time is done to the employer, the employees go back to work, and bide their time for the next chance to cripple their natural enemy. Such methods of wearing out the employer are characterized as "sabotage." Sabotage may consist in throwing the machinery out of order, the using of wrong materials, systematic loitering at work, or exposure of the employer's trade secrets.

Since the war, the line between radical Socialism and the I. W. W. is hard to draw. Indeed the red wing of the socialist movement glories in its fellowship with the I. W. W. and loudly stigmatizes the prominent leaders of political socialism as "yellow" socialists. The I. W. W. point to the Communistic Manifesto of

Marx as being in harmony with their aims and purposes. In the ranks of the I. W. W. there is no place for lawyers, ministers, and other middle-class people. As to what will be the next step after their ends are secured they take no care. To quote a recent I. W. W. writer: . . . "In its final conception of the future, the I. W. W. is serenely visionary." A leader of the I. W. W. when asked what they expected to happen after the collapse of the present industrial system, calmly answered, "We shall see."

The Industrial Workers of the World carry on their operations chiefly in industrial districts among textile, lumber, and marine workers, where large masses of foreign laborers are herded together. Although on account of the activity of its leaders and the startling nature of its doctrines, the order has become widely talked of, its membership is small.

RUSSIA AND THE SOVIET

Since the collapse of Russia in the midst of the Great War, the astonished world has witnessed the domination of that country by the most extremely radical element of Socialism, the Maximists, or, as they are commonly called, the Bolsheviks. This word simply means "majority." The party in power has adapted itself to "the soviet," a method of carrying on governmental affairs that is congenial to Russian traditions and custom. The town or city "soviet" consists of delegates sent from associations of workers in various trades or professions. The rural soviet is elected from a general meeting of the people of a rural district or village. These soviets send delegates to the next higher soviet, where delegates from a large district meet. These larger soviets send delegates to the "All Russian

Soviet," a central body which elects an executive committee to carry on the government. It is evident from all accounts that Russia has been and is at present in the hands of a dictatorship that is guiding the destines of the nation. Just what processes and institutions have been set up in Russia, it will be impossible to determine until authentic information is supplied to the world outside of the former empire of the czars. Whatever the outcome of the situation may be, it is evident to all that the Russians must be allowed to work out their own problems in relation to domestic and foreign affairs.

SOCIALISM TO-DAY

Since the close of the Great War, all Europe has become well acquainted with the various forms of Socialism from the extreme revolutionary type as represented by the Sparticus group in Germany, to a milder form in Czecho-Slovakia. At present, the world is in danger from uneducated democracy, for, as Karl Marx himself feared, the unbridled democracy of the mass of Europeans is finding itself helpless and ready to fall into the hands of violent demagogues, extreme ultra-revolutionists, who wish to abolish all existing forms of the social and political order. This situation has encouraged the extreme reactionaries, on the other hand, to make an attempt to bring back the old order of things as a defense against radicalism.

In our own country there are almost as many brands of Socialism as there are men who profess to be socialists. To add to this confusion, there are people who are constantly being labelled with the socialistic title who are not socialists at all. If a man believes in state ownership of public utilities, railroads, telegraph and

telephone systems, some one calls him a "socialist." If a workman throws a monkey-wrench into a threshing machine, the newspapers display in giant headlines. . . . "Socialist Agitator." If an honest lover of his fellow men, be he public official or humble citizen, sickened at cruel and revolting industrial injustices, gives voice to the opinion that there should be a decided revision of our laws in relation to capital and labor, it soon begins to be whispered that he is a "socialist" or at least "socialistic."

But there is a decided difference between the man who sincerely believes that reforms should be made in our government and economic system and the man who is an out-and-out socialist. The difference is fundamentally a spiritual one. The real socialist has a devotion to his belief in revolution that permeates and colors his every day life. It sets up a sort of permanent fever in his blood. In fact, Socialism has come to be a sort of religious cult. Having cast God out of all human relations, the socialist has been compelled to introduce a substitute in his effort to make real the brotherhood of man. Moreover, in order to give life to his theory of revolution, he has taken as his own the Golden Rule, believing perhaps, that by giving it a new name he can make it work better than it has worked in the past.

ERRORS OF SOCIALISM

The methods advocated by the adherents of extreme socialism are to be condemned. They look to class war as the great solvent, and to that end strive by every means to excite class hatred and class consciousness. Once the "workers" have triumphed over the "rich" they promise that everything will be well. Although man, according to the socialist, has had a very poor

record, has indeed, from the first been dominated by greed and selfishness, in some miraculous way he expects this same man to be almost perfect as soon as the "revolution" has come to pass and the socialistic panacea of collectivism has been applied.

As far as it can be viewed as a protest against extreme individualism, Socialism is right. But Socialism, on the other hand, goes to the other extreme by depriving the individual of his liberty and by making him a slave of the community.

Socialists assume a most disconcerting attitude of cock-sureness. They know that they are right and everybody else is wrong. Relief for society is to come in the way they have marked out and in no other. Therefore the most extreme socialists are glad to see things going from bad to worse in the strife between capital and labor. The worse it gets, the sooner they expect the revolution to come. Majority opinion makes no appeal to them. In the Socialist Party if a member does not accept the whole platform, out he goes. Their methods are as autocratic as any despot's ever were, their "absolute majority" is as great a tyranny as was ever exercised by Czar or Kaiser.

A SOCIALIST'S TESTIMONY

As an indication of their radical principles and demands, we quote the following paragraphs from a book written by an American socialist in 1916:

"A temporary socialist city government failed to do the few things that a socialist city administration may do which are more or less in accordance with larger Socialistic aims. For example, they should have made the public schools vehicles of Socialistic propaganda,

and so at the public expense have indoctrinated the young with revolutionary doctrine."

Of the war between Socialism and religion he says: "Therefore the Socialists are against organized religion. . . . It is an issue which had better be sharpened and not blurred with timid explanations. Whoever is not for us is against us. . . . Nothing can be sillier, more inept than what is called Christian Socialism, an artificial hybrid."

His definition of a socialist is sharp and clear. "The class struggle is a fact. The economic interpretation of history is a way of accounting for the fact, of explaining the great revolution which has already come, and of predicting what the next revolution will be. The Socialist is any one who wishes that in the contest of classes the working class shall prevail to the destruction of all other classes, so that there shall be no class in the world but workers, and that everything above ground and underground upon which the human race depends for a living shall be owned and administered by society as a whole without regard to race, creed, color, or previous condition of servitude or mastery. Any one who so wills, wishes, hopes, or believes is a Socialist."

CHAPTER XIII

THE GREAT WAR: CAUSES AND PRELIMINARY CONDITIONS

Careless seems the great Avenger; history's pages but record
One death-grapple in the darkness 'twixt old systems and the
Word;

Truth forever on the scaffold, Wrong forever on the throne,—
Yet that scaffold sways the future, and behind the dim unknown
Standeth God within the shadow, keeping watch above His own.

James Russell Lowell.

To get even a faint glimmering of the causes that led to the Great War, it is necessary to look hastily over the immediate past of the countries that compose Europe, and to survey with attention the 1914 map of that continent. The whole continent of Europe is only about as large as the United States; France and Germany each has an area about equal to that of Texas; while Great Britain's territorial extent corresponds to that of our New England States.

To understand the war, a brief review should be made of European conditions during recent years. In the century preceding the uniting of the German states in 1870, France had emerged from the social upheaval caused by the French Revolution, had passed through the period of the Empire under Napoleon I, and finally had fallen under the sway of Napoleon III, the nephew of the Great Emperor.

THE FRANCO-PRUSSIAN WAR, 1870

England and Prussia had defeated Napoleon I at Waterloo in 1815, leaving England the undisputed mis-

tress of the seas and giving the German states a chance to assume a prominent position on the mainland of the continent. Prussia, under Chancellor Bismarck, had in 1866 been made the leading state in the North German Confederation with William I of Prussia as the President of the new league of states. Bismarck, who was looking for some bait that would induce the South German States to come into the German union, took advantage of a threatened breach between France and Prussia over the successor to the Spanish crown, to bring on a war which, he rightly judged, would end in a victory for German arms.

The French had demanded that the candidate, a Hohenzollern, be withdrawn and William I had complied with the request, and sent a telegram — the now famous "Ems Dispatch" — to Bismarck telling him of the interview that he had had with the French diplomat. Bismarck rewrote the dispatch so that it appeared that the German King had been harsh and curt and had virtually shut the diplomatic door in the French ambassador's face. Bismarck sent the edited dispatch to the newspapers expecting to cause a rupture with France. He was not disappointed; the French Emperor, Napoleon III, was highly incensed and France at once declared war on Germany.

The Franco-Prussian war lasted from July 19, 1870, to January 28, 1871, a little over six months. The contest though brief was decisive. Much of the action of the war took place about the fortresses of Metz and Strassburg. The French Marshall, McMahon, having no support in the field or in the government, was utterly unprepared to cope with the highly organized German military machine that Bismarck had prepared for such an occasion. One part of the French army

was finally penned up in the virtually impregnable Metz, where it was starved into surrender. The remainder of the army met inglorious defeat at Sedan, September 2, 1870.

Napoleon III fell in the dust at William's feet. He was spurned alike by his enemies and his "subjects." Immediately upon the collapse of the Second Empire, the Third French Republic was declared, and under a provisional "Government of the Public Defense," the war against Germany was continued. The German army won one victory after another; Strassburg fell, Metz soon followed, and before long the Germans were on their way to Paris. The proud city was forced to capitulate. During the long hours of the never-to-be-forgotten day when the conquering army took possession of the French capital, the spiked helmets of the German soldiers, file after file, passed into the city.

ALSACE-LORRAINE!

Dazzled by the success of Prussian arms, the South German states hastened to ask to be admitted to Bismarck's Federation. Their request granted, it needed but a suggestion from Bismarck to bring about the offer of the Imperial Crown to William I. William promptly accepted the honor and, on January 18, 1871, in the palace of the French kings at Versailles, the King of Prussia became Kaiser of the German Empire. Bismarck had succeeded in his design, not only by blood and iron, but by trickery and falsehood.

The victorious Germans exacted the last pound of flesh from prostrate France. Alsace and Lorraine, the great iron region of France, with the fortress of Metz and the noble city of Strassburg, were laid down as the ransom for the nation's life. It is interesting in

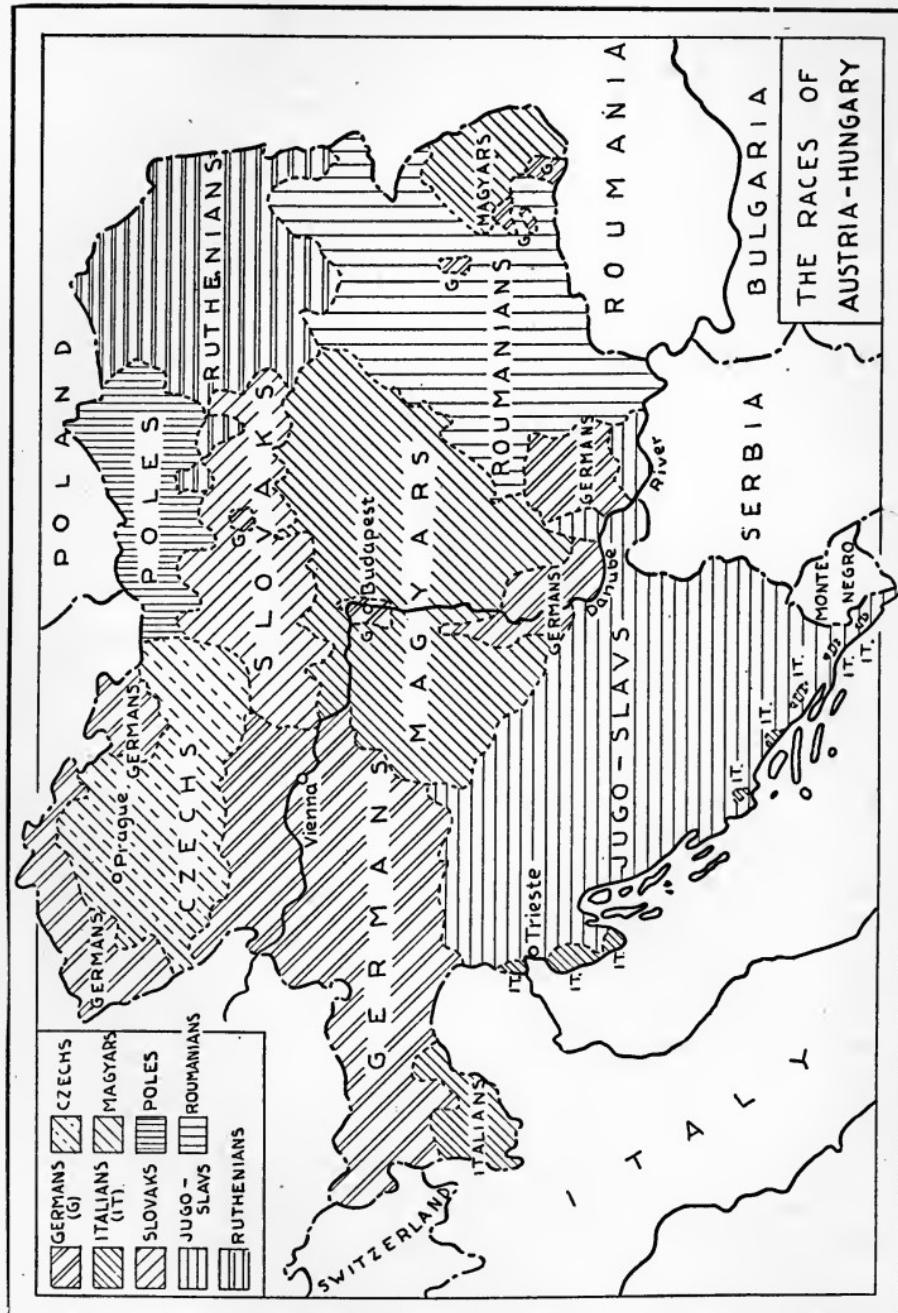
the light of the present to read what Bismarck had to say about the necessity of retaining this territory: "In the possession of Germany, Strassburg and Metz acquire a defensive character. In rendering it difficult for France to act on the offensive, we are acting, at the same time, in the interest of Europe, which is that of peace. No disturbance of the peace of Europe is to be feared from Germany."!

Besides the territorial indemnity, an enormous money payment — enormous for 1871, not for 1919 — was exacted; five billion francs, or about one billion dollars. A German army of occupation was stationed in France, to remain until all of the conditions of the treaty, including the payment of the five billion franc indemnity, were carried out. By a remarkable oversight, no time limit was set for the payment of the debt, Bismarck thinking it would take at least ten years to make the final settlement.

But Bismarck did not understand French patriotism. The peasants owned nearly all of the land in France in small holdings of less than twenty-five acres each, and at the call of the government, they went down into their stockings, brought out their savings, invested them in government securities, and paid off the debt within a year. Thus, at one stroke, they were rid of the debt and the obnoxious foreign army.

THE GERMAN EMPIRE

After the victory over France, Bismarck went back to the Wilhelmstrasse, his official residence in Berlin well satisfied with the result of his statesmanship. His great desire had been realized. Prussia was the head of the German Empire. The Iron Chancellor was willing to spend the remainder of his days in building up the



strength and prestige of the Teutonic state. He had no colonial ambitions for Germany; indeed he was kept busy with troublesome internal affairs.

When William I, King of Prussia and Kaiser of the German Empire, died in 1888, he was succeeded by his son, Frederick III, who had married Victoria, the daughter of the English Queen. Frederick III, a man of sterling character and liberal views, lived but a few months. He was in turn succeeded by his son, William II. The young King has a taste for managing his own affairs and it was not long until he dismissed the veteran chancellor, Bismarck. From time to time, Americans heard of this spectacular German Kaiser, who, though he had a very good opinion of his own powers, seemed a decent sort of ruler by all accounts. Meantime Germany was fast becoming the leader of the world in science and in manufactures, as she had long been in education.

ENGLAND SINCE 1870

In many ways England had prospered wonderfully during the latter part of the nineteenth century. She was at the head of a great colonial empire; she virtually ruled the seas over which she exercised a policy of "enlightened selfishness." Her people at home had pushed popular government forward in a remarkable way. Yet her land system was one of the worst in Europe, nearly all her soil being held together in great estates. Moreover, she still had her unsettled Irish question, which after seven hundred fifty years of struggle remained her most serious governmental problem.

AUSTRIA-HUNGARY

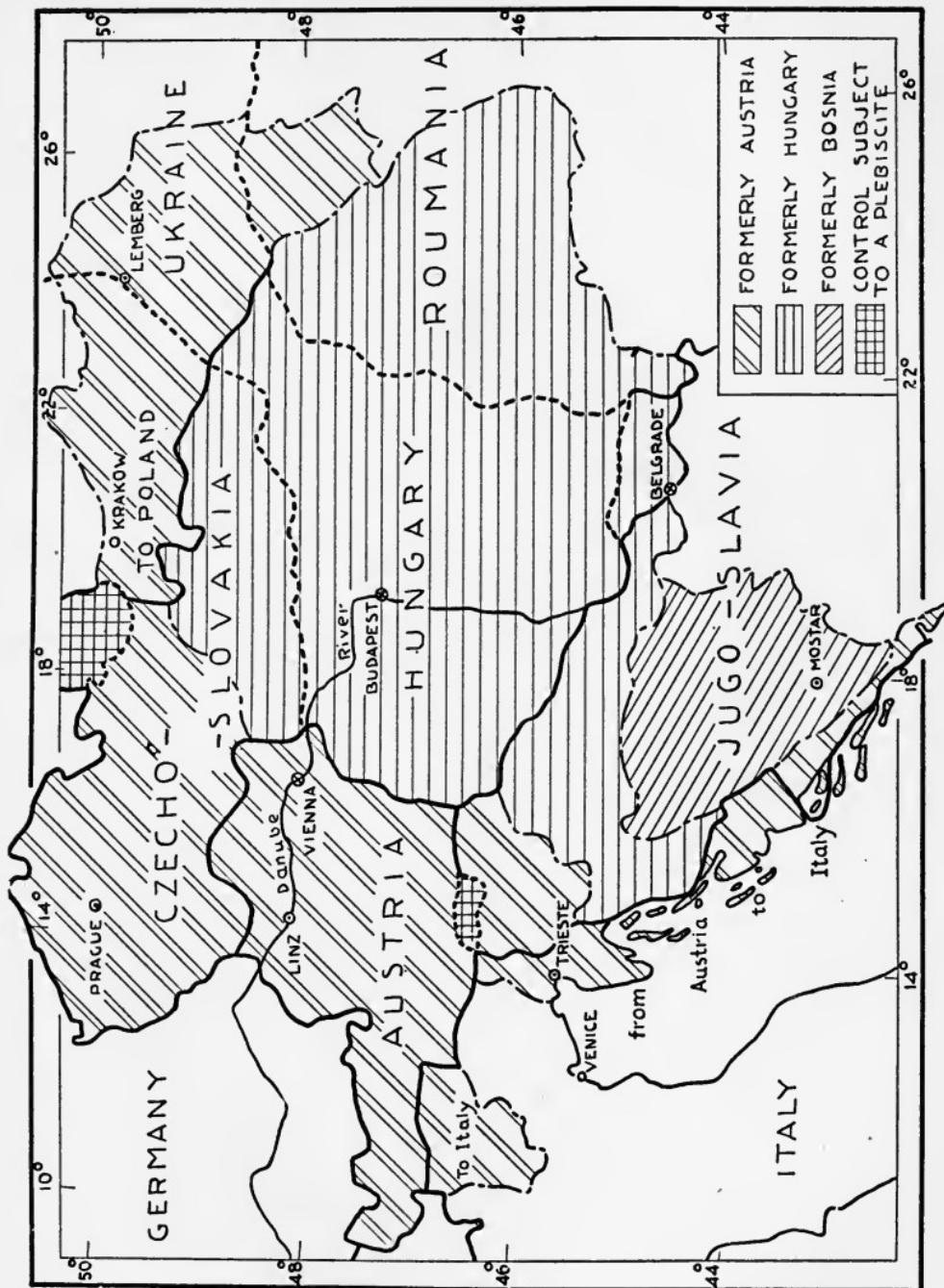
For centuries the House of Hapsburg had ruled over a strange conglomeration of peoples in central Europe

making up a number of territorial divisions, but known in a general way as the Austrian Empire. The early part of the nineteenth century had been unkind to the Hapsburgs. Some of their provinces had been lost to Italy, and Bismarck, in the reorganization of Germany that followed the Franco-Prussian War, had expelled them from the German states, where their interests were formerly considerable. The principal large divisions of territory over which this famous House retained control in 1866 were Austria and Hungary.

Hungary, dominated by the proud Magyars, a people of Slavic and Mongolian blood, took advantage of the unhappy plight in which their rulers found themselves and demanded an independent kingdom. In this it was successful, establishing its own parliament, naming Budapest as its capital, but choosing Francis Joseph, Emperor of Austria, as its King. The two governments shared the general taxes that applied to both countries, but kept separate the administration of their laws.

Austria-Hungary, or the Dual Empire, as it came to be known after 1867, was bound together under Francis Joseph, who was Emperor of Austria and King of Hungary for sixty-eight years (1848-1916). But in order to understand the true situation it is important to remember that within the borders of Austria-Hungary in 1914 there was a mixture of nationalities and languages that could never be made into one homogeneous state.

The dominant race in Austria was the German, but they were not the majority of the whole population. There were besides, Czechs in Bohemia, ardent for liberty and chafing under German domination; Poles in the territory that was once a part of the ancient kingdom of Poland; Slovaks in Moravia and Silicia; Croats



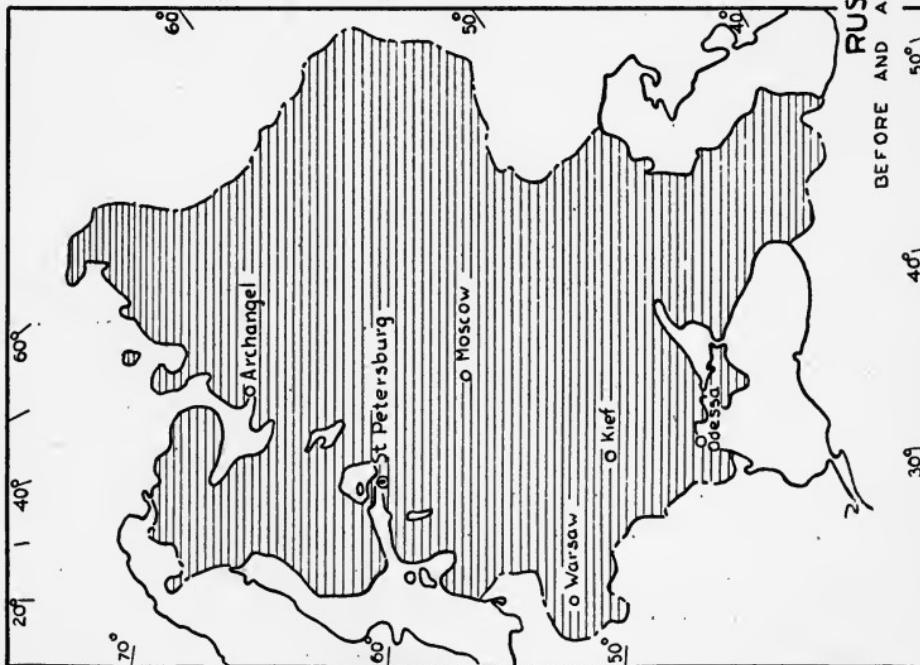
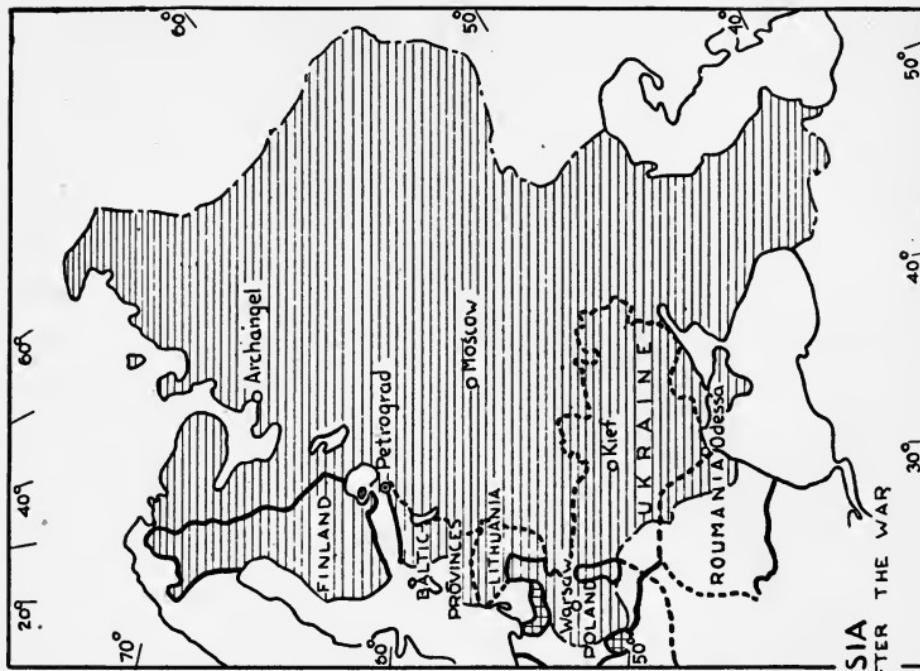
in Croatia; Slovenes in Slavonia; Styrians in Styria; and Serbs in the more recently annexed provinces of Bosnia and Herzegovina. All of these were Slavic peoples with a racial kinship to the Russians; all were distrustful of their Teutonic overlords.

In Hungary, the ruling race — the Magyars — had fought passionately for liberty, but, having gained it, denied like rights to the subjects who were under the rule of the kingdom. The Magyars alone were allowed the privilege of suffrage; they held all the money and lands, and, though in a minority, they managed to keep control of the government.

Here were all the ingredients of a witch's brew, which it has proved to be among nations. For years people said, "Wait until Emperor Francis Joseph dies, then Austria-Hungary will fall to pieces. Every one in that empire is an irreconcilable." Under the pressure of German influence the breaking up of the Dual Monarchy was postponed until Germany herself was beaten in the Great War.

RUSSIA — THE ABSOLUTE

To the east, occupying over half of Europe and extending across Northern Asia to the Pacific, lay Russia, the mystery of nations, the seat of unthinkable powers, the source of the threatening "Slav peril" dreaded by the people of Western Europe. Russia's history is full of tantalizing romance and dark, shadowy horror. She emerged from a state of Asiatic half-savagery, in the early years of the eighteenth century, at the command of Peter the Great (1689–1725). He found Russia untouched by European civilization and determined to Europeanize her. Because he wanted a "window" on the sea for his country, he built St. Petersburg —



the Petrograd of to-day — on the marshes of the Baltic inlet which he had wrested from Sweden. He moved the capital to this new city, abandoning ancient Moscow, a city half oriental, half European. He taxed the long sleeves and long beards of the Russian peasantry with a view of making them unpopular and thus accomplished much “civilizing” on the surface, at least.

But Peter the Great did not give his people freedom. He was their absolute Czar. His daughter, the Empress Elizabeth, who followed him, seized most of Finland and added it to the Russian dominion. Then came Catherine, a powerful and unscrupulous German princess. She extended her empire toward the Black Sea on the south, and then, looking toward the west for lands to conquer, saw Poland, a weak, distracted, badly governed but nobly-peopled kingdom. Securing the coöperation of Prussia and later of Austria, in three successive strokes — in 1772, 1793, and in 1795 — these “royal robbers” cut Poland into pieces, and divided its territory among themselves. Russia, as usual, “digesting its frontiers,” seized the largest share; Prussia was well pleased with her spoil, which included Danzig; Austria, the weakest of the brigands, received the smallest portion of territorial loot.

For many years thereafter Russia kept up her digesting process — Courland, Esthonia, and Livonia became hers. The vast Russian empire included the tremendous expanses of Siberia, which reached to the Pacific on the east and threatened England’s power in India on the southeast. It was the greatest “absolute” monarchy in the world. We learned in our American geographies that the Czar held the lives of all his people in the hollow of his hand and that if one word was

spoken against the government, the offender was whipped off to Siberia, there to languish in "penal" servitude. The Russian government became, in American minds, synonymous with all that was horrible, cruel, and tyrannical. The Russian peasants bore their terrible oppression in a stolid sort of way — they are a mild, gentle, kind-hearted religious people — but revolutionary doctrine flourished in the dark and the forces of revolt gathered, until, in 1906, there was a popular uprising that led the Czar to grant to his people a representative assembly, called the "Duma." Of the real Russia, America had known very little in the days before the Great War and since that struggle, this nation, mighty in area and possibilities, has remained hidden in mystery.

POLAND

Previous to its dismemberment, which was completed in 1795, Poland had been, in extent of territory, one of the largest of the European nations. Politically, however, it had been weak. There was no middle class in Poland, but about one hundred thousand noblemen and twelve million serfs. Every noble had a right to vote for the king and one "black ball" stopped an election. This necessity for unanimous consent — the paralyzing "liberum veto" — made a political deadlock the normal condition in Poland.

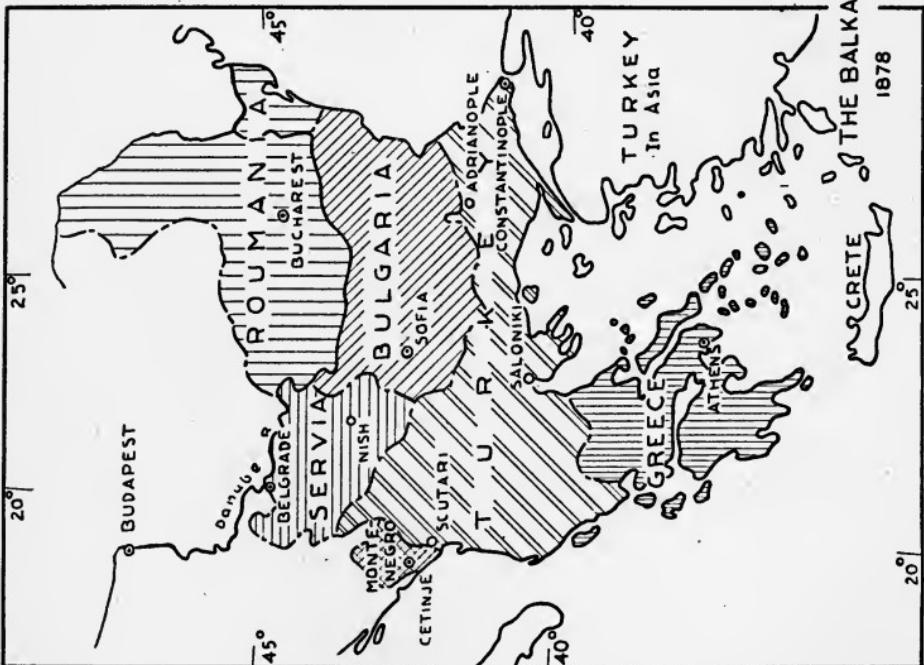
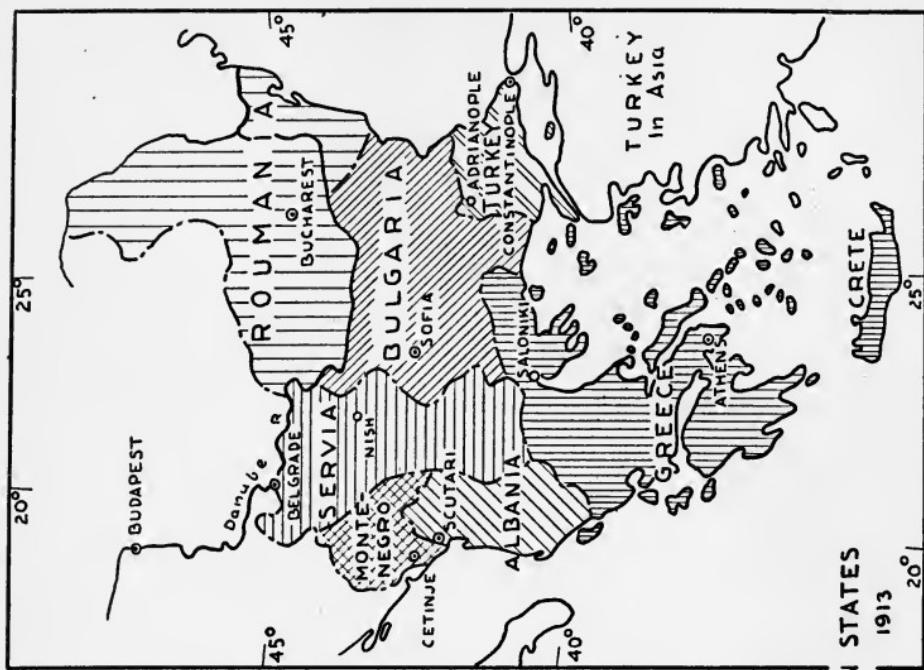
After Russia, Prussia, and Austria had stolen all of its territory, Poland was supposed to be exterminated. But Poland did not die. Her exiled sons walked the earth far from their loved native land, but they never ceased to be Poles and to cherish dreams of the day of restoration. The millions that were not able to leave

their native country remained at heart a separate people, though each conqueror strove in his own way to absorb the Poles and destroy their loyalty to a nation that politically had ceased to exist. When the final test of strength in the Great War came, it was found that while the Poles might be forced into the armies of their Teuton overlords, they could never be made to fight for them with any degree of effectiveness. The final crumbling of the German morale was largely due to these soldiers who hated the autocracy under whose banners they were forced to enlist.

THE SMALLER COUNTRIES

In southern Europe Italy had become, in government, a United Italy in 1870, but she was far from united in reality. There was a distinct divergence in ideals and polities between north and south Italy. Though the country was a constitutional monarchy, suffrage was neglected by a great part of the people, largely because of their lack of political training. Spain was almost unthought of — even the Spanish-American War (1898) failed to revive much interest in that country. Portugal had thrown off her king. Switzerland was a country of superlative political efficiency, with a republican form of government.

In the northern part of Europe, Norway, Sweden, Denmark, Holland, and Belgium were making great strides both economically and politically, while a steady growth in constitutional liberty along sane and safe lines had been going on in them since 1815. Norway was the first nation to grant suffrage to women. Belgium was frequently spoken of as the most highly civilized country on the globe.



THE BALKAN STATES

1878 1913

CRETE

20°

25° 20°

45°

40°

25°

1878 1913

20°

45°

40°

45°

40°

THE BALKANS AND TURKEY

Not until very recent years did the world begin to hear of the Balkan countries and the Balkan question, although the Near East had figured in world politics for many centuries. The territory in question had from time immemorial been under the control of Turkey, who owed her European existence to the jealousy of the stronger powers, by which she had been left as a "buffer" to curb the ambitions of Russia and Austria. In 1821, Greece succeeded in wresting her independence from Turkey. Gradually the power of Turkey was weakened, until after numerous efforts, there were set up besides Greece several new states, at first but partially free from Turkish domination, but after a time entirely freed from the Moslem yoke. Here Roumania, proudly boasting descent from an ancient colony of the Romans, came into existence. Here, too, arose Serbia and Bulgaria, ardent, jealous, and determined to expand their dominion over their "own people" regardless of the fact that it was almost impossible to distinguish who properly belonged to them. Besides these was Montenegro, a tiny principality lying near the Adriatic; Albania, a strange country inhabited by lawlessly-independent Mohammedans; and two provinces, Bosnia and Herzegovina, peopled largely by Serbians, but regarded by Austria as properly belonging to herself.

THE BALANCE OF POWER

Bitterly jealous warfare among these Balkan nations was intermittently carried on, varied by common movements against Turkey, the enemy of all. These wars

and the generally unsettled condition of the Balkan countries were annoying to the rest of Europe, since a settled condition was of immense importance to the great powers — England, France, Germany, Austria-Hungary, and Russia. Napoleon had furnished a fearful example of the effect of a continental upheaval. Above all things else peace was desirable in order that national development, colonial expansion, and the undisturbed extension of commercial enterprises might be carried on. In a word, it seemed to the best interests of all to maintain what had come to be known as the "Balance of Power" in Europe. Considering the varied interests at stake and the close quarters into which all these nations were crowded, it is easy to see the need of constant watching to keep this European balance true and undisturbed.

The Crimean War of 1858 had been an ignoble struggle to keep the dearly prized Balance of Power from dipping to one side. In that war, England, France, and Italy ranged themselves with the "unspeakable Turk" to block the aggressions of Russia. At the close of the war Turkey's place in Europe was assured. Though her atrocious cruelties in Armenia and in the Balkans were undeniably without excuse, the great powers of Europe decided that she was needed in Europe to maintain the Balance of Power. Russia must not possess Constantinople, though she longed with natural desire for a port in the "warm blue water"; she must content herself with St. Petersburg, her window on the chill Gulf of Riga, an arm of the bleak Baltic Sea, whose outlet to the high seas was jealously guarded, not only by Germany, but by Norway, Sweden, and Denmark.

THE TWO GREAT ALLIANCES

After the Franco-Prussian War, Bismarck realized the need of support in order to make it seem hopeless for France to try to regain Alsace and Lorraine. A friendly alliance was therefore made between the emperors of Germany, Austria, and Russia by which France was practically isolated and made helpless. But Russia and Austria were rivals in the Balkans, and when, after a war of conquest in which Russia took much of the Balkan territory from Turkey, a dispute arose with the other European nations over the retention of this territory, Germany sided with Austria against her other ally. This action made a hopeless breach between Russia and Germany.

Bismarck realizing the need of support, looked to Austria for a closer and more binding treaty. This he secured in 1879. By it each of these nations was bound to help the other if attacked by Russia. If either Germany or Austria was set upon by any other nation — France was probably chiefly in mind — the ally not attacked promised to remain neutral, except that if Russia should go to the aid of the aggressor, the allies were pledged to make common cause for their mutual defense.

In 1882 Bismarck encouraged France to establish a new African colony, although Italy was much opposed to this. Then the German Chancellor induced Italy to join with Germany and Austria in a Triple Alliance, which continued and expanded the general terms of the German-Austrian agreement in such a way as to include the third nation. This gave Germany the strength she needed against her two chief rivals in power on the continent of Europe.

France realized that she was left in an unfortunate position and that the Balance of Power was badly tipped toward the side of the Triple Alliance. At the same time England, who had been coming constantly into diplomatic friction with Germany over colonial possessions, saw the need of closer relations with one or more strong powers to hold Germany within bounds. It came about, therefore, without any binding agreements among the three nations, that England, France, and Russia were informally pledged to act together on matters that were common to all of the nations. This harmony of action and apparent diplomatic understanding bound these three nations together in what was known as the "Entente Cordiale" or the "Triple Entente."

It might be asked how it happened that Great Britain, a constitutional monarchy, associated herself with Russia, an absolute despotism. The answer is found in the fact that while the home government of Great Britain is democratic and responsive to the popular will, her minister of foreign relations is removed from popular control and can make open or secret treaties without the consent or knowledge of the English people. When the American realizes that the same is true of the French Republic and the Italian Constitutional Monarchy, he is able to see clearly the wide gap between European diplomacy and that of the United States, where foreign treaties are negotiated "by the President, by and with the advice of the senate."

Careless of European alliances, the world wagged on. In America an era of unprecedented prosperity had set in, and the disturbances in the Balkans, in Austria, and in Russia excited little interest. Americans knew that Russia had been worsted in a Japanese-Russian war.

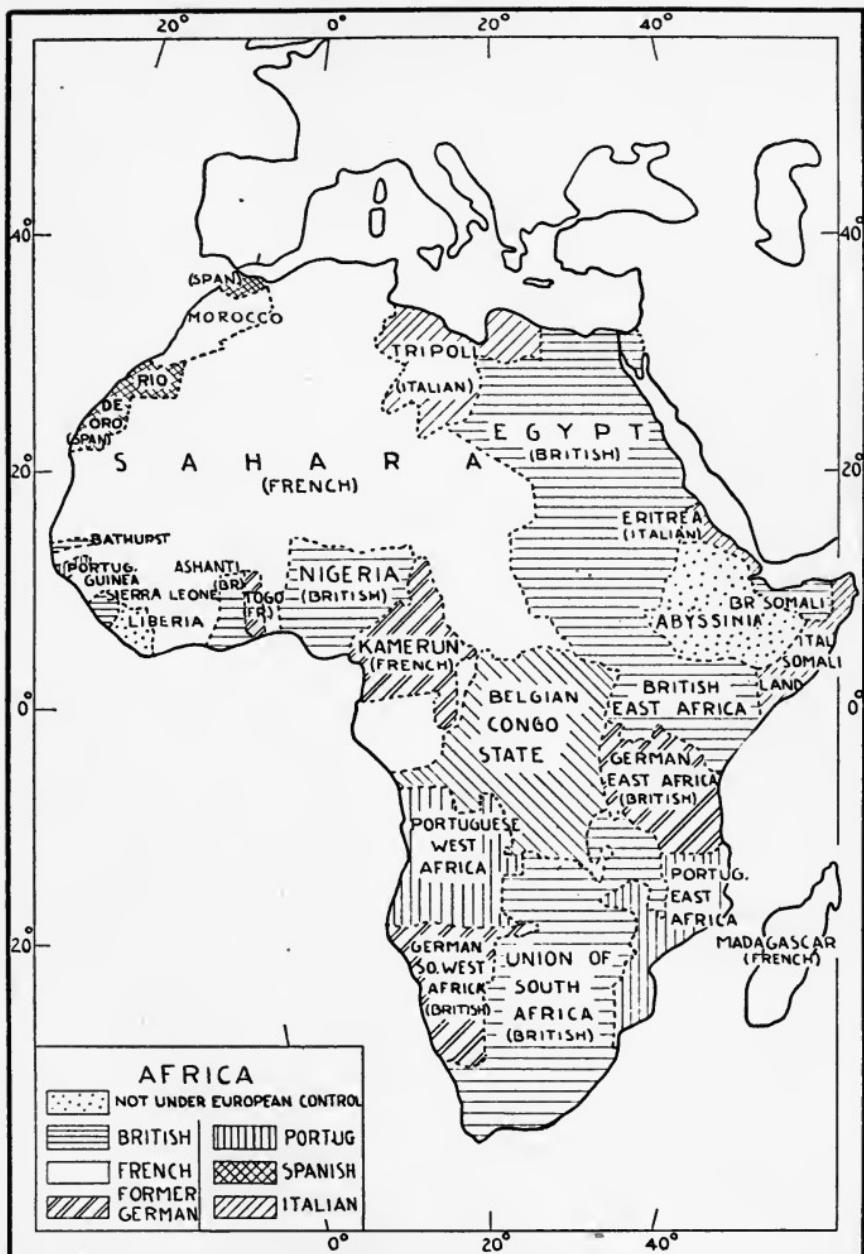
They were very proud of the fact that President Roosevelt had helped bring about a satisfactory peace. They knew also that there had occurred a Balkan war, from which echoes came of horrible deeds committed, not only on men bearing arms, but on women and children. They knew also that Serbia had come off the victor.

Austria, after a few years' protectorate over the virtually Serbian Bosnia and Herzegovina, had, in the confusion of the Balkan situation, quietly and finally annexed them. She needed a buffer toward the South. Serbia was powerless to protest, and the two provinces were powerless to resist openly, although their peoples had no desire to become a part of Austria. Secret societies began to grow and plans for future readjustment were hatched in the dark.

EUROPEAN COLONIAL AMBITIONS

During the nineteenth century, the European powers had by no means confined their attention to Europe. Germany, in particular, had waked up to her need for expansion outside of Europe. At the same time France and Italy were anxiously scanning the colonial horizon. England seemed mainly anxious to keep what she already had.

Up to the time of the American Revolution, the colonial policy of all European nations had been conducted with the idea that colonies existed for the purpose of furnishing the mother country with commodities which could not be produced at home. They were not allowed to injure the industries of the mother country in any way, nor help those of her rivals. Moreover, the colonies were expected to help bear the burdens of government and of the army and navy. The



AFRICA AFTER THE GREAT WAR

successful revolt of the American colonies taught England a much-needed lesson. She learned that she could not keep her hold on distant colonies, at least her colonies of white people, except under a liberal policy.

Consequently, England pursued an enlightened policy toward the colonies that had been settled by European immigration. By 1914, the British Empire was far in the lead of all other countries in colonial possessions. Besides Australia, the Dominion of Canada, and the South African Confederation, she had India, with its three hundred million Hindus, while Gibraltar, Malta, the Suez Canal, Hongkong, and innumerable other ports of call and coaling stations, made a complete chain of communication around the globe. Great Britain, also, acted as guardian to Egypt, which was entirely under her "Sphere of Influence," a new and vague term that began to be used to indicate the hold that a powerful country might have on a backward one. This influence, it may be added, frequently grew into power that annexed the backward country to the strong one as was the case when Austria took over the control of Bosnia and Herzegovina.

By 1914, France had much colonial territory, although she was far behind the British Empire. She had practical possession of the great desert of Sahara and her Sphere of Influence in Algeria had become fixed. She had Madagascar, and was casting eyes on the basin of the Tigris and Euphrates. Her chief rival in northwestern Africa was Italy. At one time war had threatened, but matters had been patched up and readjusted to suit France. Italy, though outwitted by France in northern Africa, had two small African coastal strips — Eritrea, on the Red Sea, and Somaliland, ex-

tending southwest from Cape Guardafui along the Indian Ocean.

Holland, with an European territory of minor importance, had vast colonial possessions in the East Indies, islands of great natural resources as yet scarcely touched. Spain and Portugal had long ago lost their last colonial possessions.

Germany came late into the colonial field. Although Bismarck had showed no interest in such expansion, before the end of his career as Chancellor, the Germans had established a protectorate over two large provinces in western Africa — Togoland and Kamerun — which contained an area of over two hundred thousand square miles. Later she acquired the vast territory known as German West Africa, the extent of which was greater than all of Germany in Europe. Even larger territories were secured in East Africa off the Coast of Zanzibar, and the greater part of New Guinea and the Caroline Islands were added to the German possessions.

This would seem to be a fair beginning for legitimate colonial expansion on the part of Germany, but for a country that had begun to dream of world empire, it was not sufficient. Because of her desire to expand and because of her doubling population, Germany looked about for other lands to make into German colonies. She found there was little chance for real colonization in the territory she had acquired, for the climate of her African lands was deadly to Europeans. If Germany was to grow, it was evident that it must be by extending her boundaries.

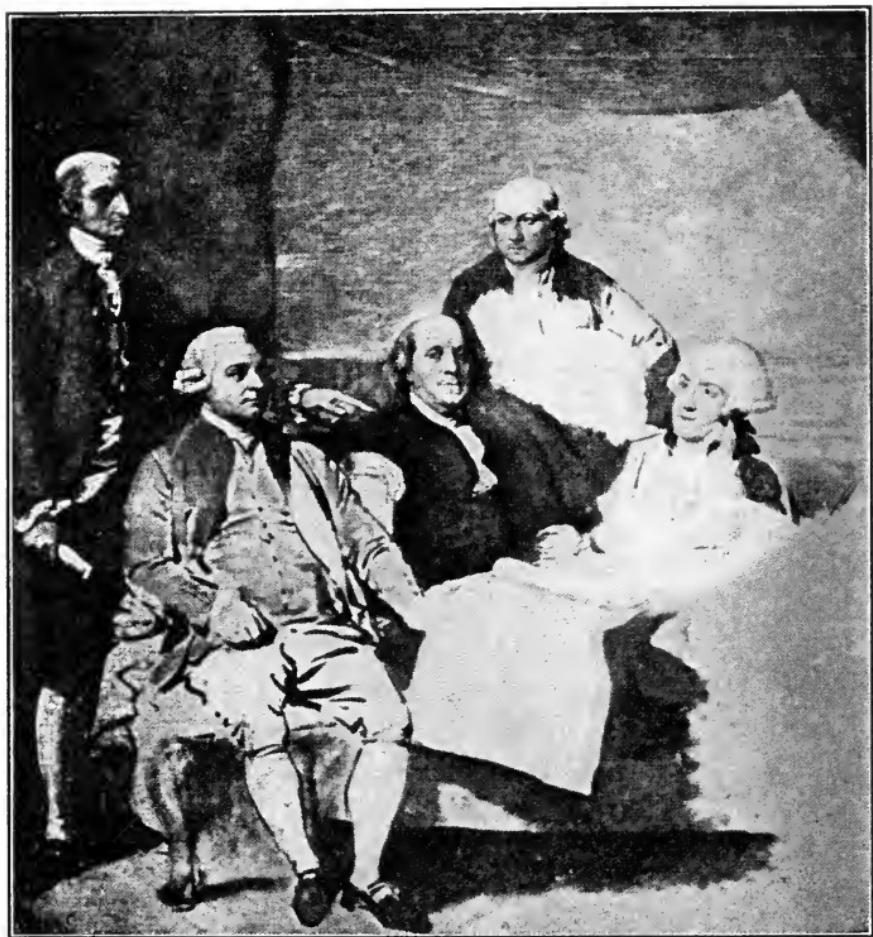
Thus came about the "Middle Europe" project, by which Germany saw the possibility of extending her influence to the southeast, through Austria-Hungary,

through the Balkans, through Turkey in Europe and Turkey in Asia, through Palestine and by way of Mesopotamia, into the valley of the Tigris and Euphrates as far as the Persian Gulf. If the German Empire could expand in that direction, she might become the greatest power in the world. Germany at once entered into a close alliance with Austria-Hungary, took on most cordial relations with the Turk, and began to plan a Berlin-to-Bagdad railway.

ENGLAND AND GERMANY

The only rival Germany feared was England, and she feared her only on the sea. Then began that dramatic struggle between Germany and England in their mutual effort to outstrip each other in ship-building. For every dreadnaught that Germany launched, England was bound to launch two. Germany built the Kiel Canal, thus gaining a direct access to the open sea, an advantage that she had not before possessed. Just before 1914 she enlarged and deepened this waterway and completely overhauled her fleet. England struggled with her labor problems, her Irish problem, her war on poverty, her woman suffrage question, and the burden of taxation demanded by the building of dreadnaughts.

War had been talked of between England and Germany for years, but few people paid any attention to the talk. A great war was considered an impossibility, for the world was surely too old and too wise and too humane to allow such a thing. And England, though with determined effort she continued to outbuild the German navy, really did not expect war. France, however, felt a dread of the Germans and the powerful German military machine to such a degree that she increased her standing army by a wider military training.



Courtesy of Longmans, Green and Co.

THE PEACE COMMISSIONERS OF THE UNITED STATES, JOHN JAY, JOHN ADAMS, BENJAMIN FRANKLIN, AND HENRY LAURENS, WHO MET THE BRITISH REPRESENTATIVES AT PARIS, AND CONCLUDED THE TREATY OF INDEPENDENCE, 1783.

From an unfinished portrait by Benjamin West. The figure behind Franklin is his grandson

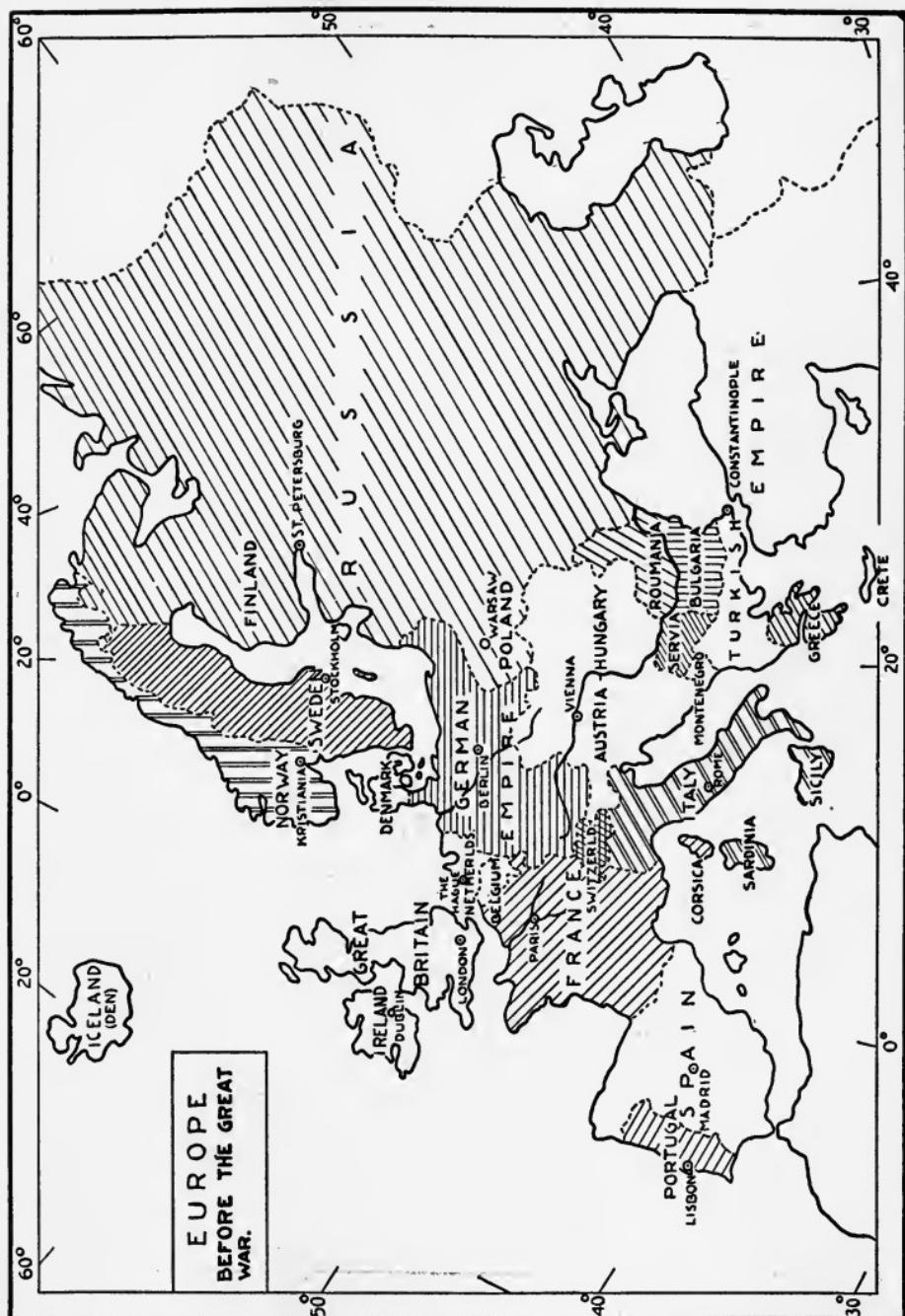
That increased army saved France. Belgium's refusal to break her neutrality and France's prompt mobilization held back the German army until help came from England.

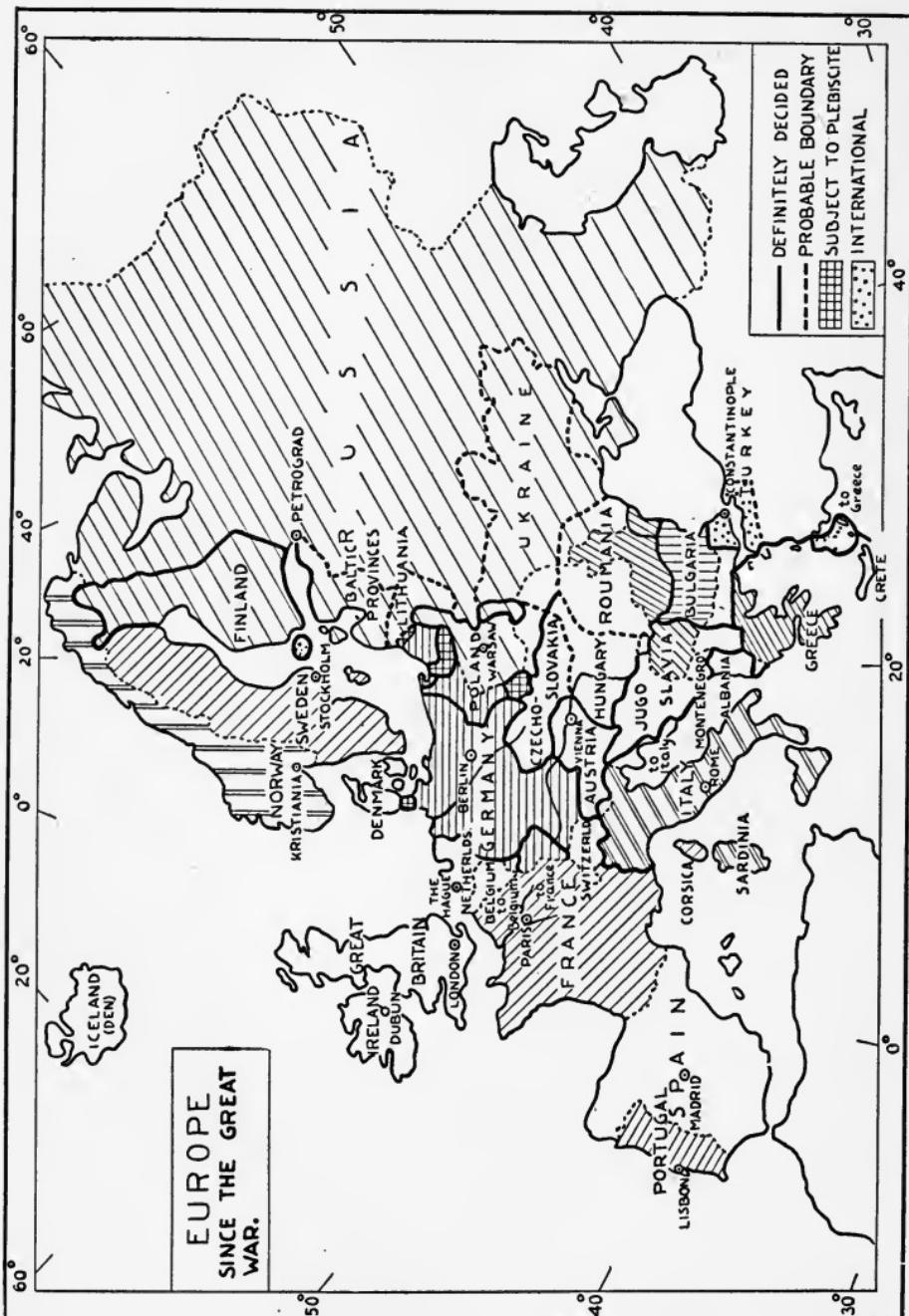
THE GREAT WAR BEGINS

One day in June, 1914, the Crown Prince of Austria, Francis Ferdinand, was assassinated in the Bosnian town of Serajevo. Little attention was paid to this not unusual happening—assassinations in the Balkans were common affairs. But before one month had passed, Austria had seized upon the occurrence as an excuse to declare war on Serbia, Russia had come to Serbia's relief, and then in quick succession the members of the Triple Alliance and the Triple Entente lined up their forces for deadly combat. By August 4, 1914, the World War had begun.

The story of the mobilization of the armies of Germany and of France is more wonderful than any fairy tale ever written. When Germany declared war, every German soldier in active service was ready. Every German in the reserve army promptly answered the call to arms, went to the army headquarters nearest his home, gave his name and number, removed his clothing, rolled it up, and attached to it the tag he took from the gray-green uniform, which was there waiting for him. Having put on the uniform, he received a second suit of soldier's clothes, suspended his identification tag about his neck, and presented himself for his arms. These received, he proceeded to a place long before designated for his division. He was in the field within forty-eight hours, completely equipped and ready for action.

The story of the mobilization of the French army is no less thrilling, though it was not so scientifically effi-





cient. The fateful signal was given in the rural towns by semaphore. At the summons, men dropped their work, placed on their arms the bit of insignia that classified them, boarded the next train, and were carried to the point of mobilization. The little towns, the pleasant villages, the fields ready for the harvest, were cleared of men able to bear arms within forty-eight hours. Not an outcry was heard, only, in memory of Alsace-Lorraine, the occasional hushed murmur, "La Ravanche."

The assassination of the Crown Prince, Francis Ferdinand, Austrian heir-apparent, in an obscure Bosnian town, was but the match that touched the fuse to the complicated and closely connected series of deadly explosives that had been laid long before by the hands of men who could not have known what they were doing. The Great War came as the result of the selfishness and greedy ambition of governments directed by officials who scarcely considered the happiness and well-being of the people who were to bear the crushing burden of the world conflict.

CHAPTER XIV

THE FOREIGN POLICY OF THE UNITED STATES

The great rule of conduct for us, in regard to foreign nations, is in extending our commercial relations, to have with them as little *Political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith—Here let us stop.

Europe has a set of primary interests, which to us have none but a very remote relation. . . . 'Tis our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest.

George Washington (Farewell Address).

The geographical position of the United States has been fortunate for the working out on a gigantic scale of the hitherto untried experiment of government of the people, by the people. The United States was able to make the most of this natural isolation from Old World affairs, because she had developed a well-marked ideal of foreign policy, which has given her to a great degree unvexed freedom in shaping her own course. It cannot be looked upon as other than a happy fact that in the past this country had been content to mind her own affairs and grow up alone, even at the expense of being called provincial. Far removed from the conflicts that disturbed Europe, widely differing in governmental ideals, it may be said that, in a sense, America did not speak the language of Europe, nor does she do so now.

It must be remembered that England, from whom

America has received so great an inheritance of constitutional form and spirit, was not governmentally the England of to-day when the American Constitution was adopted. At that time there was no political power resting in the great mass of English people. On the continent of Europe, even after the French Revolution, there was less of political freedom than in England. The United States, therefore, had little reason for becoming enmeshed in what Washington characterized as "the toils of European ambition, rivalship, interest, or caprice."

The settled policy of the United States in the conduct of foreign affairs has been in the main reasonable and sincere, although sometimes its actual working out has been more or less indefinite. In a broad sense the foreign relations of the United States have been founded on five or six main policies: friendly encouragement of popular government in other countries, neutrality, freedom of the seas, the Monroe Doctrine, international arbitration and "the open door." That is, the United States has encouraged and, as soon as possible, recognized countries seeking to set up a republican form of government; she has maintained neutrality while wars in which she was not directly concerned were taking place; from the beginning also, this country has denied the right of any foreign power to interfere with legitimate commerce on the high seas; since the promulgation of the Monroe Doctrine, she has taken a stand against European colonization in the New World and against foreign interference in American politics; whenever it has been possible, disputes with foreign countries have been settled by arbitration, and finally the "Open Door" policy calls for a free hand in trading with undeveloped countries such as China.

ENCOURAGEMENT OF POPULAR GOVERNMENT

The United States has frequently expressed her sympathy and given her support to democratic movements in other countries and has even interfered in one or two cases where help seemed necessary to forward the cause of democracy. Thus her moral assistance and influence have greatly aided the spread of government by the people; for while it is true that the United States has always refrained from taking sides in the internal quarrels in foreign countries, at the same time her leading men have consistently shown a warm interest in movements toward popular government. From the first days of our national life there has been mutual sympathy between liberal-minded Europeans and Americans. "My anxious recollections, my sympathetic feelings, and my best wishes are irresistibly excited whenever in any country I see an oppressed nation unfurl the banners of freedom," was Washington's stately way of expressing sympathy for those who sought political liberty. President Monroe and Henry Clay encouraged not only the republics of South America, but also the revolutionists in Europe, especially those of Greece.

The United States was an asylum for Carl Schurz and other disappointed German liberals who came here after the failure of the Frankfort Convention to secure a popular government for Germany in 1848. An American ship was sent to fetch the Hungarian patriot, Kossuth, to the United States after Hungary's unsuccessful attempt to gain independence in 1849. Daniel Webster at the time, replying warmly to a remonstrance from the Austrian government, clearly stated the American position. He said: "When the United

States behold the people of foreign countries . . . spontaneously moving toward the adoption of institutions like their own, it surely cannot be expected of them to remain wholly indifferent spectators." Political refugees have always found safety in the United States provided they did not hold views inimical to the government.

NEUTRALITY AND ISOLATION

Immediately after Washington had been chosen President, the French Revolution broke loose upon the world. In its first aspects the movement found many sympathizers in America, but its later developments frightened and repelled even those most friendly to popular government. As affairs across the Atlantic went from bad to worse, the statesmen of this country saw clearly that the problems of Europe were not those of a government founded on the consent of the governed. It was evident also that the United States was too weak to stand up against the established governments of the Old World, although at the same time they sincerely believed that the American ideal of government was superior to the European ideal.

Washington, sagacious and far-seeing, declared that the United States should have no connection with European politics, "other than merely commercial." John Adams set forth the same idea. Jefferson expressed the feeling of America in these words: "We have a perfect horror at anything like connecting ourselves with the politics of Europe. They have so many other interests different from ours, that we must avoid being entangled with them."

This intention of aloofness was finally made very plain in Washington's policy of neutrality. On the occasion of the war between England and France in 1793, Washington, as President, declared the neutrality

of the United States and enforced it by the first Neutrality Act of the United States, June 5, 1794. This act made it an offense to enlist in the service of a belligerent nation while in the territory of the United States, to fit out or arm a vessel intended to commit hostilities on a belligerent, or to prepare expeditions to be carried on from the soil of the United States against a belligerent.

Washington emphasized and practically fixed this policy of isolation in his Farewell Address. He expressed his ideas on that subject definitely when he said, "The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connections as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop." "It is our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . We may safely trust to temporary alliances for extraordinary emergencies."

Growing out of this determination on the part of the young Republic to keep herself clear of European politics, came the doctrine of European non-intervention in American affairs — a policy set up for Europe by America herself. Before the United States had lived many years, it became evident that she could not allow unfriendly European powers to gain controlling influence over her nearest neighbors. The government was displeased when France gained Haiti in 1795; and when Louisiana passed into Napoleon's hands, Jefferson proposed that the United States "marry the Eng-

lish fleet and nation" to ward off the power of France. But the alliance was not formed, for the far-seeing Napoleon sold the vast Louisiana territory to the United States with the remark, "I have given England a maritime rival that will sooner or later humble her pride." Not long after this, the United States gained possession of Florida, which had nominally been under the control of Spain. In so doing, she removed by one more step European influence in North America.

The gulf between Europe and America widened perceptibly after the Battle of Waterloo, for Europe had fallen under the control of the strongest and most effective international union the world had ever seen. This league, the Quadruple Alliance—muscalled in America the Holy Alliance—was composed of Austria, Prussia, Russia, and England.

It had for its main purpose the preservation of the peace of Europe, by keeping things "in status quo," that is, exactly as they had been settled by the Congress of Vienna. Metternich, prime minister of Austria, was the ruling spirit of the league. About 1820 when the league became unusually oppressive and reactionary, England gradually withdrew from its councils, while France was admitted.

THE MONROE DOCTRINE

On the American side of the Atlantic, in the meantime, things were not remaining as they had been, not even in South America, which before 1821, with the exception of Brazil and the British, Dutch, and French Guianas, had been divided into Spanish colonies. Between 1810 and 1820, under the leadership, first of San Martin and later of Simon Bolivar, these colonies,

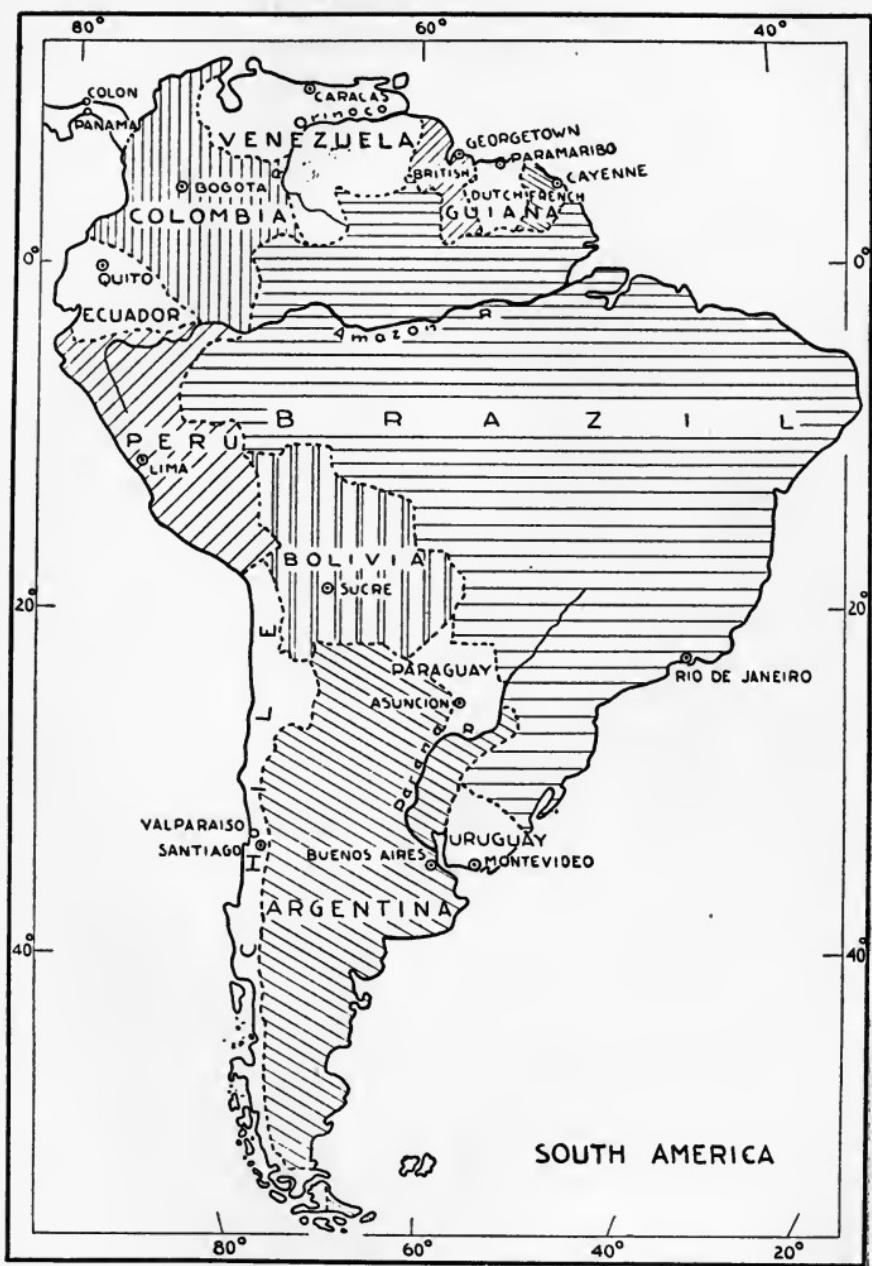
which had been left to themselves during the Napoleonic period, began to set themselves up as independent republics.

The United States fearing, that having cast off the Spanish yoke, these weak states would fall a prey to more powerful foreign powers, began to talk of formally recognizing the new South American Republics. As early as 1817, Henry Clay, who was largely responsible for our policy of friendship to South America, urged recognition, and in 1821, the United States officially recognized Buenos Ayres, Chile, Mexico, Colombia, Brazil, and Guatemala.

At this, the Quadruple Alliance became dangerously active and proposed calling a European conference on American affairs. Such a suggestion boded no good for political freedom anywhere. George Canning, the British Minister of Foreign Affairs, helped the United States and the South American Republics at this juncture, by expressing himself as willing to assist in setting forth a policy for American matters.

Nor was the only difficulty concerning South American affairs, the territory to the northwest was also under dispute. The southern boundaries of the Oregon country, as it was called at the time, had been definitely fixed in 1818 and the country jointly occupied by the United States and Great Britain, but the northern boundaries had remained undefined. In 1821 Russia became aggressive in the region of Alaska and the Czar issued an Imperial ukase proclaiming that the Pacific Coast as far south as the fifty-first parallel belonged to Russia and forbidding any one to approach it nearer than one hundred miles.

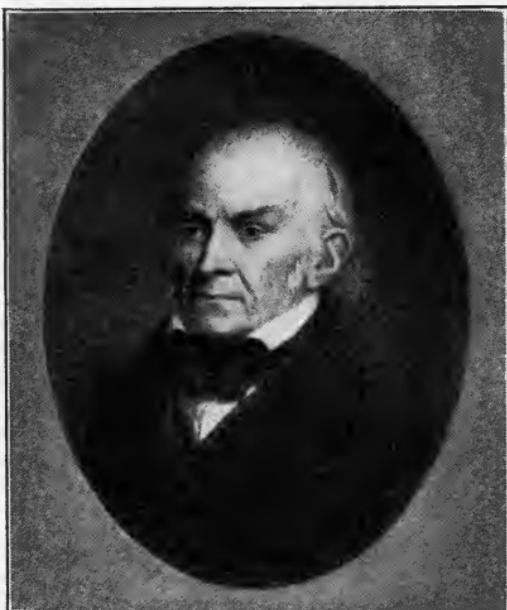
John Quincy Adams, at this time Monroe's Secretary of State, came out flatly in his instructions to the



United States minister to Russia to the effect that he make it plain to the Czar that the management of both American continents must be left in American hands. Dispatches and messages were exchanged, and Adams prepared to defend American interests. Here Canning stepped in and proposed a joint declaration of Great Britain and the United States favoring a policy of non-interference by European powers in American affairs. Adams opposed the joint declaration against all the other members of the Cabinet. Even Jefferson and Madison, who had been consulted, advised the joint action. But Adams pointed out that such a declaration would entangle the United States in European affairs in such a way as to make it hard to insist upon future independent action. Adams, who had no relish for coming in "as a cock boat in the wake of a British man-of-war" won the day. If he had not carried his point, the United States to-day might have had serious difficulty with European powers over acquiring Texas, New Mexico, California, Porto Rico, and Panama, and might even have found herself practically surrounded by the colonies of European nations.

Finally it was decided that the attitude of the United States, in the question of European interference in American affairs should be dealt with in President Monroe's message to Congress. Accordingly, in the polite and formal language of diplomacy, "The Monroe Doctrine" announced to Congress and to the world that thereafter the United States would allow no European power to establish colonies in the New World nor to interfere in American politics. It further declared that the United States intended to pursue its customary policy of non-interference in European affairs.

In other words, the Monroe Doctrine after announcing that all American powers were closely related in spirit, served notice on foreign powers that henceforth the New World was determined to carry out its political experiments in its own way. It was a clear statement



JOHN QUINCY ADAMS

As Secretary of State he caused the issuance of the Monroe Doctrine and kept the United States clear of foreign alliances; as a United States Representative after his term as president, he fought for freedom to petition for redress of grievances and gave Lincoln a verbal precedent for freeing the slaves.

of the theory that there were in the world two political systems, a *monarchical system founded on military principles*, and a *republican system founded on the will of the people*, and that these two sets of principles henceforth would confine themselves each to its own sphere. The Monroe Doctrine placed the two systems before the world.

The statement of the Monroe Doctrine was one thing; its carrying out has been and is another, and an entirely different thing. For as the years have passed the Monroe Doctrine, like the Constitution of the United States, has been changed and re-interpreted. The United States has never at any time used armed intervention to prevent the numerous South American revolutions. As has been her policy in all such cases, she has recognized the "de facto" government, that is the government that was actually in power. She has in general allowed the republics to the South to organize and reorganize without the interference of herself or others, for this attitude has been a sufficiently strong guarantee to keep Europe out of South American affairs.

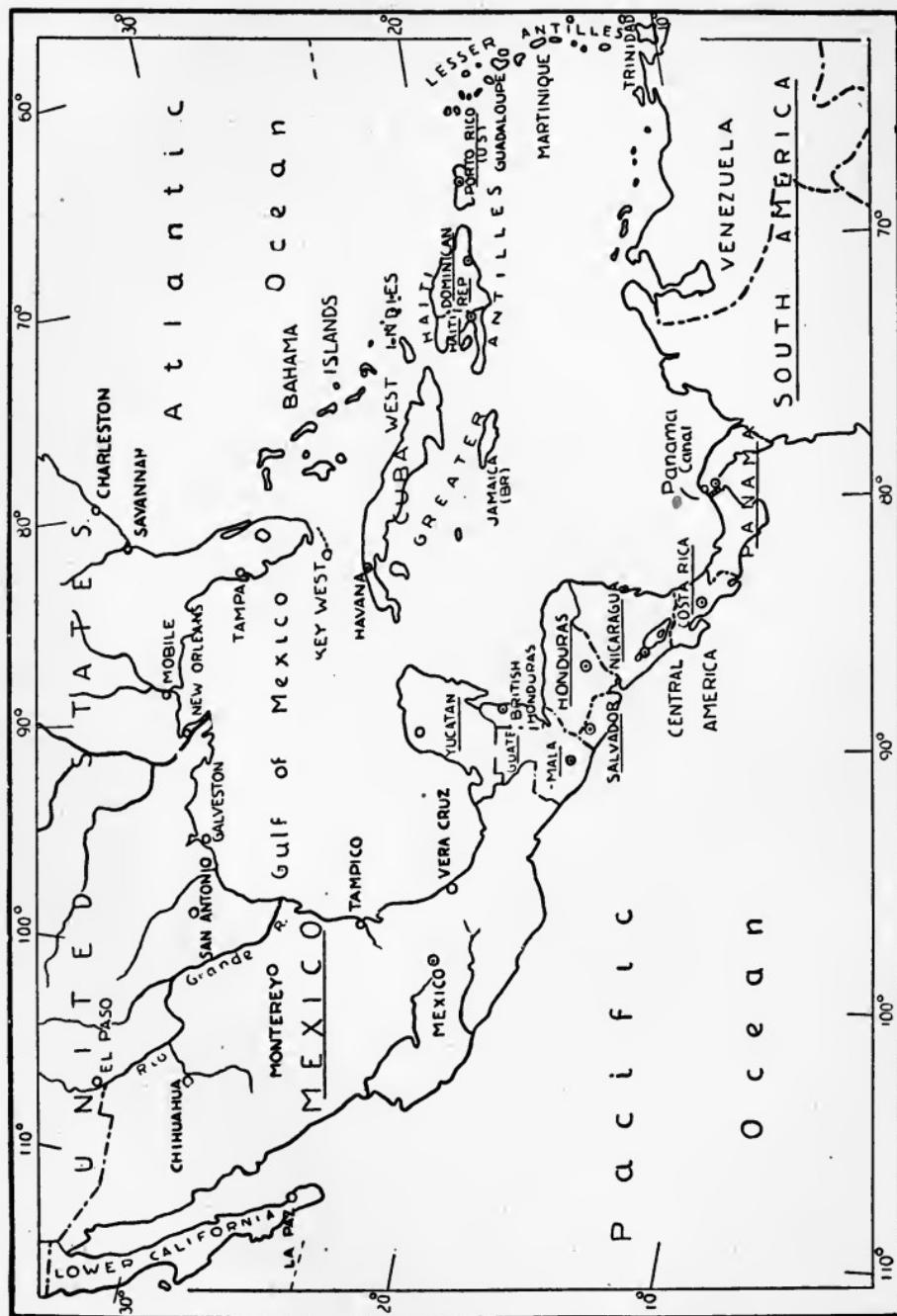
While the Monroe Doctrine has kept European powers from meddling in affairs on this side of the Atlantic, it has not hindered the United States from acquiring Florida, Texas, California, New Mexico, and Porto Rico, nor from establishing protectorates over Cuba, the Republic of Panama, and certain Central American countries. In fact, the United States has been accused of having warned every one else off the American premises that she might herself have a free hand.

The question as to the justice of this charge is not a simple one; the United States undoubtedly is right in protecting her own interests when those interests are threatened by the weaknesses or aggressions of other nations. The South American republics have not always had stable governments that represent the will of the people. In the matter of the Panama Canal, it be-

came of the utmost importance to the United States and to other nations that permanent, well-established control be set up in order that the benefits of the great water-way might be guaranteed to the shipping of the whole world. That much every one must grant. How we accomplished our purposes may be a theme for disagreement, but it is to be hoped that the long-delayed treaty negotiated with Colombia in 1921 with its payment of 25 million dollars, has settled the whole question of Panama and Colombia on a basis satisfactory to all the countries concerned.

It is also to be noted that though the Monroe Doctrine declared that the United States would not take part in political affairs outside of its own American sphere, that statement of policy did not prevent the United States from acquiring the Philippine and Hawaiian Islands. Neither did it hinder the United States from acting with European powers in the affairs relating to the Open Door in China in 1900, nor in the Moroccan troubles concerning rival claims of France and Italy in Northern Africa in 1906. Yet in all these instances the intervention has, it seems sure, been for the *common good* of all concerned. The whole question of the Monroe Doctrine should be thoughtfully studied by all intelligent Americans as a guide to our future course in world affairs.

The Monroe Doctrine, like the Declaration of Independence, has been thought of by Americans with pardonable pride as a policy founded on good-will toward other nations. But, as in the case of the Declaration, its working-out has not always been carried forward in accordance with the ideals set forth. Its application has sometimes seemed to be directed by perhaps too large a degree of national self-interest. However, it is generally conceded that the United States, for her



own sake and for the sake of the rest of the world, must hold and keep a position of controlling influence in American affairs, and while we feel that we must protect our own "permanent interest" on this side of the water, this attitude is not out of keeping with an honest desire on the part of the United States to give its near neighbors to the South a chance to exercise government of their own choosing and for their own common good.

FREEDOM OF THE SEAS

The United States has always insisted, in theory at least, on "The Freedom of the Seas." There has been a good deal of discussion and many misunderstandings that have led to war over the meaning of this term. An old book entitled "Mare Liberum" defined "The Freedom of the Seas" as meaning that the "air, running water and the sea are common to all." In the early days the Carthaginians forbade all the other nations to use the Mediterranean Sea. If a Greek sailor was captured in any part of the Mediterranean, he was at once dropped into its waters with the idea that he would never reach land. After the discovery of America, Portugal and Spain contended so fiercely for the exclusive right to sail the high seas that Pope Alexander VI in order to settle the dispute drew a "Great Line of Demarcation" from north to south through the newly discovered world, giving Portugal all of the land east of the line and Spain all of the land west of it.

In the eighteenth century, there developed a great deal of continental antagonism to the English sea-power, which had grown steadily since the little English fleet under Howard, Hawkins, and Drake, had triumphed over the ponderous Spanish galleons of the "Invincible Armada." Holland, having become a

great carrier-nation, claimed that "free ships make free goods," and objected to the English practice of seizing and searching ships for English sailors and English goods.

This doctrine was put into the Declaration of Paris in 1856. It abolished privateering, and provided that an enemy's goods, with the exception of actual war material, known as contraband, might be carried under a neutral flag. The question of what goods should be considered contraband was at first a comparatively simple one, but since the methods of warfare have changed, the list has become alarmingly inclusive—a harmless-looking bale of cotton having become contraband, owing to its use in the making of high explosives.

The United States has always been the champion of the idea that private property, unless contraband, should be safe from capture on the high seas even in war times. During Jefferson's administration, trade in the Mediterranean was molested by the Barbary pirates, and the president ordered our men-of-war to clear the waterway of these sea-robbers for the benefit of all the nations. The War of 1812 between the United States and Great Britain grew out of a practice directly involving our policy with reference to the "Freedom of the Seas," for British ships repeatedly overhauled the vessels of other nations for the purpose of taking sailors from them and forcing them into the British navy. The United States resented this practice and virtually put a stop to it by this war, although, strange to say, the treaty of peace which concluded the struggle made no mention whatever of freedom of the seas.

In regard to the present meaning and application of the term "Freedom of the Seas," there is a wide

difference of opinion among nations, particularly in time of war. Since the adoption of free trade, Great Britain has practised a liberal policy in her treatment of other nations which use her harbors and numerous ports of call. For the most part, she claims no advantage over the ships that land at her docks in any port of the globe. The expenses of keeping up the landing facilities are borne almost entirely by Great Britain and equal tolls are charged on all ships, regardless of nationality.

In the winter of 1908-1909, Lord Grey, then the British foreign secretary, called at London a conference of the leading maritime nations of the world for the purpose of fixing the principles of prize law, for the government of an international prize court. This conference drew up the Declaration of London; embodying a code of rules regulating the rights of neutrals and belligerents with respect to neutral commerce.

While the Declaration of London did not entirely meet with the approval of the United States, it was considered a decided move in the way of securing greater justice and stability among the maritime nations of the world. Consequently, our government agreed to its terms. But when it came before the British Parliament for ratification, it was rejected, Parliament stipulating that before signing a treaty which further limited Great Britain's sea power, compensating limitations of land power should be agreed upon. Germany, of course, refused to limit her military strength and the matter was left unsettled at the time of the outbreak of war in 1914.

In the very first days of the Great War, Secretary of State Bryan, seeking to protect the interests of neutral nations, dispatched an identical note to the Powers

at war, proposing that the code of rules for neutral nations embodied in the Declaration of London be accepted by all nations for the duration of the war. But as the British Government feared to decrease the striking power of the British Navy, the reply from that country was unsatisfactory and consequently Germany went about her preparations for ruthless submarine warfare.

During the Great War, Great Britain still claimed as a war measure the right to search ships. She not only searched and detained ships in her ports pending the examination of their cargoes, but censored all the mail that they carried. This was extremely annoying to the citizens of the United States and occasioned a protest from the government, but as property only was involved and lives were never put in danger by the attitude of Great Britain the administration did not press the matter. Furthermore arbitration treaties made it possible to settle all cases of damage between the two countries after the cessation of hostilities.

No arbitration treaties existed between the United States and the German Government by which questions might be settled when the war was over. At the beginning of the war Germany did not question the neutral rights of the United States, but when a controversy did arise, it was extremely serious. Germany resented the action of the United States in trading in munitions with the belligerent powers, and while she allowed our legal right to do so, she made her objections on moral and humanitarian grounds. The United States, however, did not recognize the justice of her claims, and continued to allow shipping to pass unhampered between her ports and any other ports that could be kept open to neutral navigation.

Presently, the German Government announced that her submarines would begin ruthless warfare in violation of all accepted principles of International Law. This intention of restricting freedom of the seas was made plain when the German ambassador on January 31, 1917, informed the state department that American passenger steamers would be "permitted" to sail once a week provided they carried no contraband and provided each ship was marked as directed by the Imperial German Government. The specifications for marking were as follows:

"The steamers are marked in the following way, which must be allowed to other vessels in American ports; on ship's hull, the superstructure, three vertical stripes, one meter wide, each to be painted alternately white and red and the stern, the American flag. Care should be taken that, during the dark, national flag and painted marks are easily recognizable from a distance, and that the boats are well lighted throughout."

The question of Freedom of the Seas is a big one; it includes the question of freedom of waterways and canals that reach into the hearts of countries; it includes the question of the neutralization of great inter-ocean waterways such as the Suez Canal, the Panama Canal, the Dardanelles, and Kiel Canal. The people of the world look forward eagerly to the time when a league of free peoples will so regulate the commerce of the world that the waterways of land and sea will be used for the benefit and happiness of all.

ARBITRATION

Another line of foreign policy that the United States has pursued from the very beginning of the Republic has been the settling of moot questions by the "umpirage of

reason rather than force"—that is, by arbitration. The first practical application of the principle in affairs of government took place when the thirteen states agreed to disarm and submit all their disputes to federal courts. Since that time, the United States has tried



PAN-AMERICAN BUILDING, WASHINGTON, D. C.

The official home of the Pan-American Union, an organization of twenty-one American republics for the furtherance of commerce, friendly intercourse and mutual understanding.

—often vainly—to convert other states to her belief in the settlement of disputes between nations by a court of outside powers.

Since 1794, the United States has had arbitration treaties with England. Between 1794 and 1872 ninety international disputes, in each of which the United

States was a party, were settled by arbitration. The most noted case was that of the "Alabama Claims." The United States set up a claim against Great Britain for destruction of property by a ship that had been built in Great Britain and sold to the Confederacy during the War of Secession. The matter was given over to the arbitration court of neutral powers which met at Geneva, in Switzerland. An award of fifteen million dollars was made in favor of the United States, and Great Britain, though the amount seemed to her exorbitant paid the sum named. In practically all cases that have gone before recognized international arbitration courts the disputants have accepted the decisions arrived at.

The question of arbitration has been a subject of discussion at the Hague Conferences, where at each of the three meetings, the delegates from the United States tried earnestly to secure a general treaty of compulsory arbitration. But Germany, while admitting the justice of the idea, coldly wet-blanketed the whole proposition because it included a mutual limitation of the army and navy of all nations which entered into the agreement. Her excuse was that she could not find a "formula" to express her views.

Having failed in securing an international arbitration treaty, the United States, notably under the leadership of Secretary Bryan, set to work to make separate arbitration treaties with the various nations. Before the end of 1914, thirty such agreements had been made, twenty of which had been ratified and proclaimed.

THE OPEN DOOR

The "Open Door" policy in dealing with backward countries was introduced into international relations by

Secretary of State Hay in 1899. The term as first used referred to the equalization of opportunity in China to all foreign nations. Before 1899 Russia, Germany, and England had succeeded in establishing well defined "spheres of influence" in China and there was danger that all other powers would be entirely shut out. The United States, through Secretary Hay, insisted that all Chinese ports should be left open to all the powers of the world on equal terms. The powers that were occupying parts of China rather reluctantly agreed to the "so just and fair" proposal of the United States *provided that all the other powers consented to the arrangement.* Having received these provisional acceptances, Secretary Hay dispatched copies to each of the interested nations and thus established the Open Door policy which virtually blocked the threatened dismemberment of China. The Open Door policy has been followed by the several nations in the west coast of Africa and by France in Morocco.

OUR FUTURE FOREIGN POLICY

When the Great War startled all the world, the United States found it hard to break loose from her early traditions and enter into the European struggle. But when at last she did enter the world strife, she stood firmly on her traditional principles, allying herself with no foreign power, but bending every effort to preserve the right to carry on and develop her chosen form of government. In the words of President Wilson, she sought "to make the world safe for democracy."

The Great War being over, largely because of the entrance of the United States into the maelstrom of world affairs, it is not likely that our nation can remain

aloof from the rest of the world. We must, in fact, take our stand among the nations and use our influence not merely in a negative but in a positive, constructive way. An American political economist recently laid down certain principles for the establishment of a definite and progressive foreign policy which may be briefly stated as follows: Our future foreign policy must first of all represent public sentiment, then it must be permanent and continuous, must be based on national honor and international justice, must respect the sovereignty of small nations, must honor the spirit as well as the letter of treaties, must merit the confidence of the South American Republics, must aim to avoid all permanent occupation of territory not our own and to reduce interference in the affairs of other nations to a minimum, and finally, while it must be altruistic and generous, it must not neglect to promote and protect American investments abroad.

CHAPTER XV

CITIZENSHIP IN THE UNITED STATES

While there's a grief to seek redress,
Or balance to adjust,
Where weighs our living manhood less
Than Mammon's vilest dust,—
While there's a right to need my vote,
A wrong to sweep away,
Up! clouted knee and ragged coat!
A man's a man to-day.

Whittier, The Poor Voter on Election Day.

Citizenship is an all-important matter for Americans. In a Government like ours, "of the people, for the people, and by the people," the individuals must have clear ideas of the principles and nature of democratic government, that they may have the "will to succeed" in carrying on the great experiment which this nation has undertaken. Citizens of the United States must consciously accept their citizenship with its rights and duties, and perform its obligations solemnly, with care to combine in just proportions their exercise of individual liberty and due consideration for the common good.

That the American citizen may be a consciously active participant in the affairs of government, he must be able to answer to his own satisfaction the following questions, among others:—What is the source of citizenship? Does a citizen owe allegiance to the state in which he lives or to the United States? Who is the American citizen? What are his rights? What are

his duties? How can he, a single person, have any influence on the immense and extremely complicated machine that carries on the government?

ALLEGIANCE TO STATE AND NATION

To begin with the first two questions: What is the source of citizenship, and to whom does the citizen owe allegiance? Citizenship has a dual source and citizens have a dual allegiance. On the one hand, the Federal Government is permitted by the Constitution of the United States to make laws in certain instances and is restricted in others, while the state, on the other hand, is permitted to make laws that are not prohibited by the Federal Constitution. The two documentary sources of an American's rights are, then, the Federal Constitution and the constitution of the state in which he lives. To get at a fairly clear understanding of the matter of citizenship and allegiance, this most important fact must be kept in mind constantly.

The Federal Constitution sets forth a list of rights that the *Federal Government* cannot take away or deny — freedom of speech, freedom of the press, the right to religious freedom, and others. The Constitution does not however say that a state cannot deny these rights to its citizens. Although the Federal Government was forbidden by the First Amendment to the Constitution to make any law respecting the establishment of religion or denying the free exercise thereof, at that very time in many of the states, the voting franchise, and in some cases, citizenship, were restricted by religious qualifications. As far as the Federal Constitution is concerned, any state is free to set up a state church if the citizens vote for it.

The Federal Constitution also enumerates certain

rights that the *state* cannot take away or deny. For example, the Fourteenth Amendment, after defining "citizenship" in the United States, says "no state shall deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction, the equal protection of the laws." In the Fifteenth Amendment the right of a state to deny the vote to any one on account of race, color, or previous condition of servitude is expressly denied.

Congress is empowered to make a uniform law for naturalization, but the states have control of the laws concerning suffrage. A foreigner coming to the United States from abroad will be naturalized under the same law whether he tarry in New York or proceed to North Dakota, but his right to vote will be governed by the law of the state in which he takes up his residence.

THE AMERICAN CITIZEN

"Who is an American Citizen?" This would seem a question that should have its answer in the Constitution as drafted in 1787, but such is not the case. It was not until 1868 — nearly one hundred years after the adoption of the Constitution — that the term "citizen" was defined in our fundamental law. The Fourteenth Amendment, passed in 1868, says: "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside."

An American citizen is then any person who comes by law under the immediate jurisdiction of the laws of any one of the United States whether he is a man, a woman, or an infant — the last term denoting any person under legal age. All these members of the family of the American government are subject to its laws and are

in turn protected by its laws. They are citizens whether they are voters or not, as distinguished from aliens — persons born in a foreign country who have neither been naturalized, nor, if women, married to citizens of the United States.

Membership in the American family comes then by birth, by naturalization, and by marriage. If the parents of a child are American citizens, the child is born an American citizen; a child born in the United States to alien parents permanently residing in the United States is an American citizen; a child born to American parents residing temporarily in a foreign country is an American citizen.

NATURALIZATION

The process of naturalization is regulated by a general law of Congress under the sanction of the Constitution which says: "Congress shall have power to establish an uniform rule of naturalization." The law regulating naturalization has varied from time to time. The present law excludes all polygamists, and those who do not believe in "organized government"; it excludes all who cannot pass the literacy test which requires a small evidence of formal education. The Exclusion Act of 1882 prevents Chinese from becoming citizens, but the children born in the United States of Chinese parents are American citizens.

The law also specifies that an alien cannot become a citizen of the United States until he has resided in the country for five years and has given a "notice of intention" to become a citizen at least two years before he presents himself as a candidate for full citizenship. At the time of declaring his intention, the aspirant for citizenship is given his "first papers," which

practically insure him all the rights of full citizenship. In most cases he can vote, in all cases his civil rights are guaranteed to him. He may even take up a homestead of one hundred sixty acres in a state where there is still "government land" and his wife may do likewise, although usually neither one can "prove up" on the homestead until the husband has become a citizen.

Though the "first papers" may be made out merely before a clerk of court, the final papers must be issued by a judge. The candidate for full citizenship is required to take the Oath of Allegiance to the United States, in which he "absolutely and entirely renounces all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and solemnly swears to support the Constitution of the United States against all enemies, foreign and domestic, and bear faith and allegiance to the same."

When a foreigner becomes an American citizen, his wife and all of his minor children automatically become citizens also. If an American woman citizen marries an alien, she becomes at once an alien, while children born of the marriage in the United States are American citizens. If the American wife of an alien secures a divorce, she becomes again an American citizen. The alien, though not an American citizen, is guaranteed civil rights by courtesy. Thus in a sense, an alien is a favored guest who enjoys all the benefits the protection of the law affords and assumes no responsibilities of citizenship.

The fact that naturalization is regulated by the Federal Government and that suffrage is regulated by the states has caused confusing complications and irregularities in regard to suffrage. While, under the provisions of the Constitution, five years' residence is re-

quired before an alien can become a citizen of the United States, the forty-eight states differ widely in their regulations for granting suffrage to the foreign-born. Indiana, Michigan, Nebraska, Oregon, and other states grant suffrage after six months' residence to aliens who have "declared their intention"; other states grant suffrage after two years' residence upon a like declaration; still others, notably New York, grant suffrage only to citizens. Thus if two brothers come to the United States on the same steamer, and one of them goes to Nebraska and the other to New York, the one who goes to Nebraska can vote in six months from the time that he lands, while the one remaining in New York must wait for five years. Such inequalities and irregularities in the rights of suffrage are matters that should have immediate federal remedy.

A CITIZEN'S RIGHTS

Civil Rights

What are the American citizen's rights? An American citizen, whether he be possessed of political rights or not, is guaranteed what are commonly called "civil" rights. A mere recital of these civil rights takes us back to the days of King Alfred. The civil rights of American citizens — the ordinary rights of everyday life that we scarcely know we possess until they are threatened — may be grouped under three heads: those relating to personal security, those relating to personal liberty, and those relating to property.

The rights of personal security include police protection, fire protection, protection of morals, protection against accidents from machinery — speeding automobiles, and elevators, and other common sources of dan-

ger to life and limb are included under this group — and protection against all sorts of avoidable accidents and removable danger. Among the rights of personal security are also freedom from the necessity of testifying against one's self, and freedom from the quartering of soldiers in private houses in times of peace. From the mere recital of this list it can be readily seen that the governmental machinery necessary to insure these rights to one hundred million citizens is of necessity ponderous and complicated, especially in a democratic government such as ours.

Rights relating to personal liberty include freedom of religious worship, freedom of speech, of the press, and of assembly, the right to petition the government for redress of grievances, the right to proper treatment by police and courts in case of arrest, the right to trial by jury, the right to a writ of habeas corpus — that is a speedy trial on a definite charge — the right to be secure in life and liberty except by due process of law, the right to a reasonable bail or fine, the right to indictment by a grand jury if accused of a serious offense, and the right to equal treatment with all other citizens before the law.

Rights relating to property secure to the individual possession of personal property in money or land, provide for a reasonable compensation if the property be taken over by the government, enjoin "due process of law" in the taking of property from an individual, and forbids the restriction of the use of property in such a way as to reduce or destroy its value to the owner.

The civil rights enumerated under the three heads — personal security, personal liberty, and property rights — are guaranteed in the main to citizens of any state of the United States, always, of course, with the ex-

ceptions in practice that accompany the administration of justice by human hands. One clause of Magna Charta expressly enjoins "We will sell to no man, we will not deny to any man, either justice or right." Yet no one will dare to say that the administration of justice is always "evenhanded" to-day, though in the main it is true that in the United States there is a fairer measure of justice in the exercise and security of civil rights than in any other country in the world.

The winning of the civil rights which the American citizen already possesses is by this time a familiar narrative; trial by jury dates back to Henry II of England; "habeas corpus" to Stuart days; religious freedom came only after centuries of hideous and unbelievable abuses. The protection from quartering of troops in private houses is scarcely appreciated in this age when the inviolable security of the American home is unquestioned.

Besides these long-recognized, hard-won civil rights, there are others as yet not guaranteed that are pressing forward to enter the legal fold. Among these are the *rights of children* — to a home, to an education, to separate courts, to separate places of correction, to a chance to develop individual talents; *the rights of workers* — to a share in the excess profits that are produced by their labor, to a minimum wage, to form labor unions, to better conditions of labor and to higher pay, and to a reasonable daily period of labor and of rest; *the rights of the general public* — to protection from industrial robbers and swindling stock-sellers and against hardships from profiteering and from strikes. In fact, an entire new code similar to our political and our legal code is in process of development, which, when it receives the recognition that it demands will give the

United States not only a claim to be known as a political democracy but as an industrial and economic democracy as well.

Political Rights

Political liberty came into practice because of the desire for civil liberty. It is important to remember that at first men wanted political liberty that they might be secure in their everyday lives; later they sought it because they wanted to manage their own affairs. Political liberty includes the right to vote for those who make and enforce the laws and also the right to hold office. In the United States, it had long been the general rule that all sound-minded male citizens who were twenty-one years or over were allowed to vote; and the same privileges have been at last extended to women. Idiots, paupers, the insane, bigamists, polygamists, duelists, felons, and Indians not taxed, are denied the right of suffrage. In some states, sailors and soldiers are not allowed to vote because they are representatives, not of a state, but of the federal government. All states require a residence qualification varying from six months to two years; some states allow only citizens to vote; a few states restrict the suffrage to tax-payers; about one-third of the states have some kind of educational test. In one way or another, almost all of the states of the South, by property qualifications, by educational tests, or by other restrictions, exclude negroes from the polls.

One must not, because of this formal enumeration, draw the conclusion that the government is a machine mechanically grinding out rights and privileges while the hungry citizens look up to be fed with them. Government in the United States is in the long run simply

a matter of public sentiment. The officers who make laws will eventually give the people who elect them what they want or they will go down to certain defeat when they present themselves for reëlection. At the same time it is usually true in a republic like ours that no body of men who make and carry out the laws will give



MEDAL AWARDED TO HENRY CLAY

the citizens a better government than is actually demanded. The people will get as good a government as the majority of them want.

DUTIES OF AN AMERICAN CITIZEN

All this brings us directly to our next question, "What are the duties of an American Citizen?" "How can one single citizen have any influence on the immense and complicated system of government of the United States?" Henry Clay was but one single person; Lincoln was but one individual; Susan B. Anthony

was a lone woman; Booker T. Washington a nameless black man, yet all of these, single citizens as they were, have had a real influence on our immense and complicated system of government. Every individual, whether he holds office or not, whose judgment we value because he has demonstrated that his opinions are fair-minded and his conclusions and actions based on what he considers the common good, is an important factor in the upbuilding of the nation.

Considered seriously and honestly, the duty involved in being an American is no sinecure. The American citizen cannot sit back comfortably under the paternal care of a despot or a despotic oligarchy and let the world go hang so long as he is safe and warm; the liberties that he enjoys are not given by a king to his subjects; they come from the people themselves because in our country the people are the source of authority. The general level of the citizens of a country where the people are the sovereign power is seen in the laws which the representatives make and enforce. So it comes that the individuals in a democratic government are all-important because the source of power lies in them. As water cannot rise above its own level, so the moral life of the state cannot rise above its own source.

A good citizen and a good man come very near to being the same thing and the practice of fair dealing comes very near to making a good man. The man who is able to give a good account of his stewardship to his state has become well-practiced in being a good man, for the good citizen always remembers that while freedom may and should be used to his own profit and enjoyment, it is subject to the equal rights of other men.

A VOTER'S TRAINING

The virtue of good citizenship is bred in the home, in the school, in the community, where the individual readily learns that the acts of one person may prove harmful to others; that selfishness, as the ruling and only source of action, is bad for everybody concerned. The good citizen must go farther than that, for he must learn the art of quietly sitting down by himself to contemplate what he really believes and desires as an American citizen. In other words, he must learn to think out for himself the things he believes to be right and fair to others as to himself. He may well, also, take counsel with his fellow men. The time has passed when the formation of clubs to influence public opinion was considered a meddlesome interference on the part of private persons. Open discussion has become a necessity in American life, where useful political action must be guided by thought. In the exchange of ideas through friendly or heated informal debate issues become familiar and men are made to think. The citizen who is entitled to express his stand in public affairs by his vote will not neglect the duty of going to the polls, for at the polls he performs his chief act of sovereignty. In the United States a stage has been reached where the voter is conscious that he can lay shaping hands on the processes of politics, and that, unless he is as willing to vote in time of peace as he is willing to fight in time of war, he virtually resigns his title to be considered one of the sovereign people. Right voting needs not a background of the learning of the schools; a decent sense of fair play directed by an honest mind is all the training required for the man before whom the issue is plain.

If the United States is to progress toward a greater

democracy, voters must train themselves to be intelligent as to issues and interested in measures, rather than merely prejudiced in favor of the men standing for election. The people must respect their liberties if they hope to preserve them, for eternal vigilance is indeed the price of safety. A democracy without the restraints imposed by an intelligent citizenry, may become the worst kind of a tyranny.

It must not be forgotten that American Citizenship is not a thing of the body; it is a thing of spirit, of illumination, of coming out into the sun. With generous and imaginative peoples, the process of becoming an American is completed almost in a day. For, from the beginning, America has said to all comers, "Come, to this land; you need have no fear. You are welcome; take your place at the family board. If you choose, remain a guest; if you wish to have a hand in regulating the affairs of the family, you may become a member of this household. In time you may even sit at the national council table, at which but one place is denied you, the place at the head."

The invitation has been accepted, eagerly, hopefully, passionately. They have come in motley throngs from all the nations with heads uplifted, eagerly looking toward the land of hope. And America took them all in kindly, openly, tolerantly, and, it must be added, carelessly. In a few years they became Americans, and in a single generation their children were filling positions in every station.

The American citizen, be he but one generation from the soil of Europe, or a proud son of the American Revolution, is permitted to become what he dares and wills; he follows the gleam that leads him; it may be the light of stars; it may be the electric glare of fame or ambi-

tion; it may be the yellow flame of a tallow dip that leads to the miser's treasure-house. But, being an American, whatever the impelling motive, the way is open to his ultimate desire.

THE REAL AMERICAN

This homogeneous mixture of races and peoples goes to make up the United States of America, a new, distinctively-marked member of the family of nations. In no other country in the world has such an assimilation and such a development taken place. The American keeps the characteristics that marked the colonist — the open-minded intelligence, the freedom of will, the generosity of hand, the practical common-sense, the eagerness and willingness to participate in affairs of government, the ideal of justice and fair play, the dynamic force which delights in accomplishment.

These are signs that mark the real American, for it must be remembered that not all who dwell in the United States may be truly called Americans. There are persons living in America, some of them foreigners by birth, some whose forefathers date back to the *Mayflower*, who are not Americans. They are spiritual aliens, who consider America a place for the exploitation of their own petty or stupendous schemes of personal selfishness. They take all America will give them or will allow them to take and cram it into their own pockets, or they play upon the helpless ignorance and inherited prejudices of well-meaning Americans, and, by insidious and crooked means, grasp and hold political power by which they corrupt the laws and gain economic dominion over others.

For the United States of America has not yet reached the summit of perfection in political life, in social life,

or in economic life. No American citizen who uses his talent or his ballot for his own excessive aggrandizement can be considered a true American; no law can make him one. He is a most subtle foe of the country to which he owes allegiance.

THE AMERICAN OF TO-DAY AND TO-MORROW

The Great War is over but the test of American citizenry has only just begun. In action, on the field of battle, on the sea, in the air, there is glory and honor and fame. The plain, steady, everyday duty of being an American has little of alluring beauty or high romance. Yet it means life for an ideal. America must have ready at a moment's notice a great, compact, well-organized, fluent-minded army of citizens. Day and night, year in, year out, the true American must wear the uniform of his citizenship as the soldier in Uncle Sam's army wears the khaki while he is enrolled in the lists of fighting men. He can never lay it aside, for in a democracy, war against inherent evils never ends. He must wear the insignia of his allegiance and his servitude till he dies.

As a soldier is proud to keep himself in exact form, his uniform neat, his face smooth and clean, his hands immaculate, his shoes shining, his cap at the precise angle required, his gun polished and ready for use, so must the soldier of the great army of citizenship step forward with mind open, with high courage, with kind heart, with clear conscience, with wide vision, with look ahead. He must keep himself constantly in the training that will fit him for performing the functions of citizenship.

He must learn to execute the duties placed upon him

by his allegiance to his country so efficiently and promptly that there will be time to spare for pursuing his own particular business and avocation, never forgetting that the American ideal includes a dual responsibility, of *freedom for the individual* to please himself and a scrupulous attention to *a consideration of the common good of all men* — brothers and equals before God.

It is not an easy nor negligible thing to be a good American, but he who wills to stand in the ranks of true American citizenship fights on the winning side. The good American will take the high way and follow his ideal by being a worthy citizen of the United States, and just as truly a useful citizen of the world at large.

CHAPTER XVI

AMERICAN IDEALS

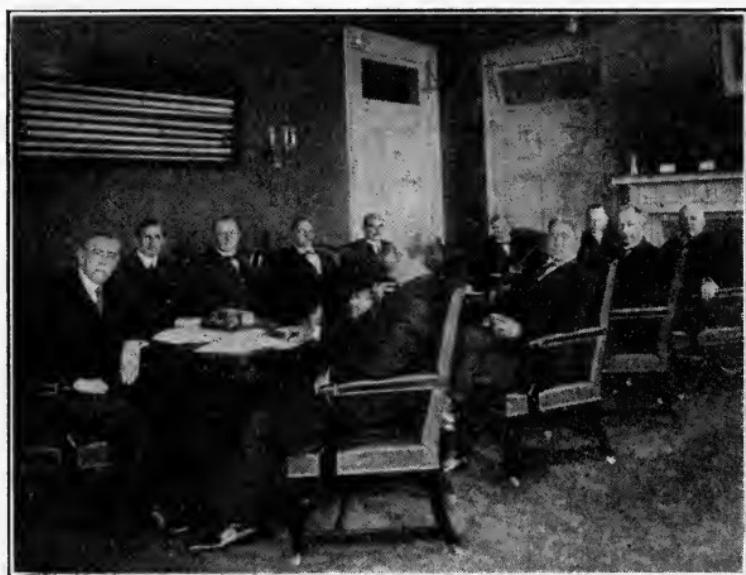
No nation can live without vision, and no vision will exalt a nation except the vision of real liberty and real justice and purity of conduct.

Woodrow Wilson.

The avowed purpose of the United States in entering the Great War was "to make the world safe for democracy." The war was won on that issue, which seemed clear to every one after the United States went in. The Allies acclaimed the ideals thus set up and in no uncertain words agreed with these aims of the United States when she threw her millions of young men and her billions of wealth against the Central Powers. Indeed, myriads of printed statements of those ideals fluttered down from air-planes upon the armies of the Germans and Austrians to make it evident to the rank and file that the Americans and Allies were fighting for the cause of the common man, not only of their own countries, but of all countries.

But when the war was over, it began to appear that the meaning of the inspiring battle-cry that had weakened the morale of the enemy and carried the Allies to victory was not, after all, so obvious and so simple as men had thought it to be. What had been perfectly plain to all sensible persons in the ardor of the fight for a great cause, seemed to admit of unwarrantable exceptions and undreamed-of interpretations after the military victory had been won.

As a consequence, since the close of the war, people have been living in a state of mental confusion as to exactly what is meant by "democracy." In the United States, we stoutly maintain that we must cling to "American ideals," if we wish to keep our great nation safe from the tyranny of wealth on the one hand and the inroads of revolution on the other. But what is the meaning of these magic words? Before we can



PRESIDENT WILSON AND HIS CABINET, 1913

apply it in any constructive way we must undertake to define "democracy" or "the American ideal of government" in terms that the plain people can understand and accept.

DEMOCRACY IN GREECE AND ROME

We may begin at once by stating that the American ideal of government is government by the people; in other words, it is the democratic ideal. Americans

have become so used to the statement that *the people are the source of government* that they scarcely realize how unusual and daring a thing it was in Jefferson's time to set up a government on that startling principle; in fact, few Americans know that ours was the first country that, from its very beginning, openly proclaimed the people as the source of government. Yet even in 1776 the idea of the people as the source of government was not a new one. Such philosophy of government had existed since the days of the "democratic" Greek city states, five hundred years before the Christian era. Plato stated in his "Republic," that "a sense of the *general good* supports the state, self-seeking disintegrates it." "Hence," he went on, "it is useful to point out the general good to the individual." Aristotle, the Greek philosopher, said that "political government is a government of free men and equals working together for the *common happiness of life* under a government which is administered for the benefit of all." But the democracy of Greece was not a democracy at all in the American sense, for in Greece, "demos," the people, meant but a small privileged class, which lived on the labors of the great mass of the population, made up of the slaves. In classical Athens, the most enlightened city of its time, there were more than four hundred thousand slaves and not more than twenty-one thousand freemen.

In the days of the Roman Republic, all Romans, plebeians as well as patricians, were citizens. The common people had their "tribunes" to speak for them and popular consent was necessary to make an election valid. Rome did not remain a city-state, but even when all Italy was united under Rome's dominion, popular government was carried on by having all the people

come together in one place to express the public will. Later, when Rome became the possessor of the world, the moneyed aristocracy fattened on the loot of far-away provinces, and her system of popular government gave way to the rule of the Roman emperors, who caused their statues to be worshipped as gods. Because the Romans did not discover how to govern by representation, Rome could not be a world republic but became the Roman Empire.

THEORY OF SOURCE OF GOVERNMENT

The roots of the ideals that underlie the American government, are not to be found in Greece, or Rome. The democratic ideal had its beginnings in the religious doctrine that all men are equal in the sight of God. That ideal coupled with the idea that man is responsible to God for all his actions is the true core of the democratic ideal.

During the Middle Ages, the Church carried out this ancient doctrine into a very real democracy. Her offices were open to all who showed intellectual promise — peasant and son of nobleman alike became candidates for the priesthood. In their effort to work out a complete system of philosophy, the great schoolmen of the period did not neglect the philosophy of government. St. Augustine (353-430) defined a political society as essentially a multitude *united by consent and community of interest*. St. Thomas Aquinas (1224-1274), the greatest theologian of the Middle Ages, insisted that civil power owed its actual existence *to human right* and that the essential note of sovereignty, the right to make laws, was in the hands of the people. He also defended *prevailing customs as law*. He held that for all good governments, the people have a share

in the sovereignty and that the *best form of government is one in which the people elect their rulers among themselves.* Following the doctrines of the Church, the early Christian kings claimed no divine right to their kingly powers; they subscribed themselves Kings by the Grace of God and neither they nor their people considered the King ruler by divine appointment.

In the long and painful struggle for political freedom in England, the philosophy of the Church was on the side of sovereignty of the people. The teaching of the schoolmen was of immense value, as it set forth the lawful relation between the King and people, and, by its logic, made short work of the royal claims to divine power. The begging friars, always the supporters of freedom, taught the people something of the dignity of labor and the frailty of kings, who were after all but men.

But although it is true that there existed a written theory of government, the struggle toward democracy was scarcely a conscious one. The barons of England strove with King John, not for a principle, but to gain their own advantage. The mass of the people were content with their civil rights, which presently came to be "the rights of Englishmen." After the Reformation, the assumption by the Kings of headship of the Church having been accepted, it was but a step to set up the further claim of divine right to kingship.

In spite of the divine right practice of the Tudor monarchs, English philosophical writers continued to set forth the theory of government as founded on the consent of the governed. One of these, Richard Hooker (1553-1600), stated that all public government of whatever kind arises from "deliberate advice, consultation, and composition" and that "the sover-

eignty rests ultimately with the people who have agreed upon the law of the ‘common wealth’ as the basis of union.” Another writer, Thomas Hobbes (1588–1679) restated Hooker’s view; and still later John Loeke (1632–1703) made *sovereignty consist of the rights which every man has over his own actions*, rights which he gives over to the government as they are needed for the *common welfare*.

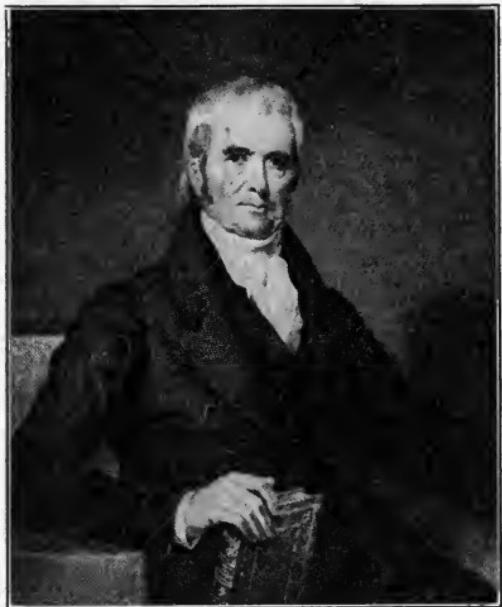
AMERICAN IDEAL OF GOVERNMENT

Thus we see that up to the time of the American Revolution, there were scattered writings dealing with the subject although there was no accepted, well-defined theory of government by the consent of the governed. Since the colonial lawyers were well-read men, we may be certain that when they were seeking a sure ground on which to base the colonists’ claim of the right to rule themselves, they searched diligently in Hooker, in Hobbes, and in Locke, as well as in Rousseau, their brilliant French contemporary, who, in “The Social Contract,” had set forth a forceful case for the rule of the people as a basis of just government.

In 1776 George Mason wrote into the State Constitution of Virginia a *Bill of Rights* — the first document of its kind in history. It stated that all men are equally free and have certain inherent rights; that all power is vested in the people; that government ought to be instituted for the *common good*; and that if it is found to be inadequate, the *people have a right to reform, alter, or abolish it*; and finally that *no free government can be preserved except by frequently going back to fundamental principles*. When, a few weeks later, these ideas were put into the Declaration of Independence, they were heard “round the world,” and are still heard,

because they find an echo in the hearts of men everywhere.

However imperfect has been the expression of the will of the majority, there can be no gainsaying the fact that the American ideal has always been the democratic



JOHN MARSHALL

Chief Justice of the United States for thirty-five years (1800-1835). He established the power of the Supreme Court over the legislative branch of our Government.

"He found the constitution paper, and made it power; he found it a skeleton, and clothed it with flesh and blood."

and establish" the form of government under which we live.

According to Chief Justice Marshall, "*The Government proceeds directly from the people*; it is ordained and established in the name of the people; its

ideal, the *source of government* having been from the first clearly understood as being *from the people*. The Declaration of Independence proclaimed to the world that "governments are instituted among men, *deriving their just powers from the consent of the governed*." The Constitution of the United States announces itself as an instrument of government in these words: "We, the people of the United States, . . . in order to promote the *general welfare* . . . do ordain

powers are granted by them and are exercised directly on them and for their benefit; it is a government of all; its powers are delegated by all; it represents and acts for all." The final and complete statement of the ideal of American democracy was given by Abraham Lincoln in his "*government of the people, for the people, and by the people*" which is in truth the heart of the American ideal of government.

But Lincoln did not believe that a mere majority was the true source of sovereignty. He recognized the fact than an unrestrained absolute majority might become a despotic form of absolutism and sweep all individual rights before it. He gave a true definition of the sovereignty of the people when he said: "*A majority held in restraint by constitutional checks and limitations, and easily changing with deliberate changes of popular opinion, is the only true sovereign of the people.*"

THE AMERICAN IDEAL

But when we have said all this, we have only defined American ideals in general terms; to get at the real heart of the matter we must explain those general terms in meanings that will apply to the individual American, who is an integral part of the American people. As applied to the individual, it will be found that, in the United States, democratic government takes on two main aspects — *freedom of the individual*, and *consideration for the "general welfare,"* that ancient and honorable "common good" that Plato wrote about more than two thousand years ago.

Individual Freedom and the Common Good

The American ideal may be stated in some such words as these: Man has been given intelligence and responsi-

bility in order that he may play a part in some vast design of the Creator of the Universe. In the world in which he lives are countless other beings like himself, all equal to him in the sight of God. According to the American ideal, the individual is free to strike out on any path he may choose, provided always that his course does not interfere with like freedom of others. In the past this idea of individual freedom has been the aspect of the American ideal that has most often caught the imagination, while the common good has been to a large degree neglected. When the two aspects of the American ideal are *equally* and thus properly regarded, the American ideal is the embodiment of fair play for each person who goes to help make up the body politic. It involves what is variously termed a "square deal," "sportsmanship," "common decency," "social justice," or whatever else one may call the fundamental rule of conduct which bids us to do as we would be done by.

THE AMERICAN THEORY OF STATE

In order that the American ideal of personal initiative and equal opportunity for all may be lived out in security, the government of the United States has been set up, for, according to the American ideal of democracy, *the state exists solely as an instrument to show the will of the people*. The kernel of the American ideal of life and government is, therefore, a fair chance for the individual, a mutual concern for the common good, and a machinery of government existing for the single purpose of securing these ends. From this as a center of belief have sprung all true American ideals.

OUR COMMON IDEALS

When we speak of American ideals, we mean the ideals of the great majority of the citizens of the United States, for, though representatives in the government are selected by means of political parties and may as individuals hold opinions at great variance with the American ideal, the average of opinion, made up from the beliefs of all classes and conditions of society, is apt to approach very close to justice, for the simple reason that, in the main, the principles of right-living have always been common to the great mass of the people.

These common ideals of right thinking are familiar enough: they are the belief in God; in the dignity of man; in the sacredness of life; in the inviolability of marriage; in the sanctity of the home; in the obligation of promises; in the compelling power of duty; in kindness to neighbors; and in the accountability of the individual to his own conscience alone. These beliefs, held by good men from the earliest ages, were embodied in the government in the United States of America, the first government in the world to be set up on the definite foundation of the brotherhood of man.

While the government of the United States has been scrupulously careful to leave its citizens free in matters of religion, the Constitution specifically prohibiting the establishment of a state church, the people of the United States have always been believers in the Providence of God. The signers of the Declaration of Independence appealed "to the Supreme Judge of the World for the rectitude of our intentions"; Lincoln in the Emancipation Proclamation invoked "the gracious favor of Almighty God" upon the step he was

taking; President Wilson closed his war message to Congress by calling on God to sustain our arms. The coin of the United States bears the motto, "In God We Trust"; our National legislature is opened with prayer; our statute book bears witness that the "Thou shalt not" of the tables of Moses is still the basis of our common law.

Moreover, the practice of religious observance has been a marked characteristic of American life. It has marched step by step with the practice of government by the people. The dusty traveler, rattling along over the Minnesota and Dakota prairies, is struck by certain outstanding features of the many small towns he passes through. Two dominating structures strike his eye, the church and the town hall or court house. These two, the church and the state, divorced by mutual consent, dwell here in harmony. With the ever present school-house, the town hall and the church are the most insistent and obvious features of American community life.

7 OUR IDEALS IN PRACTICE

From these springs come the various practices and policies that show themselves in the conduct of our government and of our common life—the ideal of individual freedom to worship, to speak, to assemble, to petition for redress of grievances, to be secure in the home, to own property, to trial by jury, to be safe from unjust arrest; the ideal of fair play underlying our foreign policy and our practice of arbitration; our belief in the inviolability of treaties and our ideal of neighborliness.

In living out these ideals the United States has not relied on good will alone; for from the very first it has

taken a position of self-respecting independence and magnificent courage that has enabled it, undaunted, to face unknown dangers and to pass through each crisis with no loss of honor and respect. Along with this independence has gone that most remarkable capacity for finding new ways to put things through.

That the United States has lived by ideals is evidenced on all hands. She has protected the rights of the individual as far as statutes can protect such rights. Civil rights are secured to all citizens under the law. If these sacred rights have ever been violated, it has been because of the imperfections of the human beings appointed to carry out the laws. If new individual rights have been developed that are as yet unprotected, it is because adjustments of law have not kept pace with the rapid changes that have taken place in our social order.

We have striven to carry out our ideals in a spirit of friendliness. The American nation has never hesitated to include the whole world when answering the question, "Who, then, is thy neighbor?" For as Americans, above all other things, believe that every man is entitled to direct his own life, so do they believe that every nation must have a like privilege, provided it does not interfere with other peoples or threaten the peace of the world.

Because the builders of the American ideal were reasonable and logical, the rule of fair play has been carried out, with few exceptions, in our conduct toward foreign nations. We have been friendly neighbors, unwilling to mix in family quarrels but ready and anxious to help, once quiet was restored in national households. No matter how frequent the revolutions in the countries to the south of us, we have forborne to interfere,

even though often sorely tried; and when after long provocation, we entered the Great War, we announced to the world that we sought no material advantages of any kind and in the settlement after the great struggle was over our nation sought no plunder.

In carrying out the policy of the Monroe Doctrine, the United States has shown an independence and sureness of ground that has enabled her, more than once, to gain the desired ends without striking a blow. Twice by a determined gesture she protected Venezuela. She went to war for Cuba, and then kept faith with her own ideal by giving that rich and tempting island back to its own people, after the Spanish-American War.

Our sincere desire to dwell in neighborly friendliness with the rest of the world is eloquently and finally proved by the unmarked, unguarded, far-flung line stretching from the Atlantic to the Pacific, that indicates the boundary between the Dominion of Canada and the United States of America. Nowhere in the history of the world is there nobler testimony of the needlessness of a standing army than is that silent border where no bristling fortress lifts its head, and where no watchful army is stationed.

The sincerity of our belief in peaceful arbitration has been made clear in numberless instances where we have willingly accepted judgments even when they have not fallen in our favor. Our scores of arbitration treaties with foreign powers are the initial covenants of international peace. That we look upon them as inviolable, witness the fact that the United States openly retracted a law giving commercial advantages to our own coastwise trade through the Panama Canal, because it was not in harmony with a treaty made with England years before.

It may be said that in the United States an ideal progress exists — a progress that comes by slow, sure movement toward greater and greater justice. Genuine reform has usually followed sure and safe constitutional lines without any great upheavals of the social and economic order. In the one instance in our history where wrongs would not yield to any force less than civil war, it should be remembered that the clouds were gathering for fifty years, during all of which time men sought earnestly some better way to progress than through the conflict that finally came.

Merely to think of what the American ideal is, and then to consider wherein we have failed to carry it out in practice is startling enough. No one will pretend that the United States has always realized the high ambition of the majority of her people. There are many instances which show that we have often woefully fallen short of our high purposes.

We have the Mexican War to be ashamed of, although the result of that war probably has been for the common good in the long run. We have not yet justified ourselves to the Philippines, nor altogether in the matter of the Panama Canal and Colombia, but we shall eventually right any wrongs that can be righted if we remain true to our best desires. Surely we have not failed so unmistakably as to forfeit our claim to idealism. If we have sometimes fallen short, it has been partly because our representatives have failed us and partly because we have not organized a method of allowing the will of the people to be more readily expressed.

A rapidly increasing number of people are coming to see that the common good must never be forgotten even in the free enjoyment of the rights of the individual.

It is becoming plain to all that if the United States is to continue to build for democracy, the inspiring idea of personal freedom must be constantly accompanied by the sobering idea of the duty of responsibility for the common good. *The two principles are inseparable in a democratic society;* they are its very foundation stones. Failure to recognize the duty of safe-guarding the common good has led to the strange result that we have in the United States an autocratic economic system operating under a democratic government. In the enthusiasm of pushing themselves ahead, numbers of men have become so absorbed in promoting "business prosperity rather than human welfare" that there has grown up a false and baseless aristocracy of wealth and influence. On the other hand in opposition to this class there is a growing danger of an aristocracy of labor which will prove hardly less selfish or less harmful, should it lose sight of the general welfare of all the people.

THE PROBLEM OF THE PRESENT

These observations lead us to the conclusion that the old ideals must never be lost sight of and that new and higher standards must be set up if we are to grasp the full significance of the term "government of the people." We shall find on examination that the citizens of the United States too often lack definite ideals with reference to personal and national efficiency, thrift, conservation, industrial coöperation, governmental responsibility, and economic justice. We have up to this time been in the careless, open-handed, wasteful stage of bounteous youth; we must now, for the sake of our national household and for the sake of the rest of the

world, develop ideals which will correct extravagant errors, spendthrift prodigality, and economic outlawry. As a nation and as individuals we have thrown away time and money and opportunity recklessly as if each wasted moment and each squandered dollar and each lost chance did not add to the world's burden of work and poverty and need.

Such problems as the negro question, illiteracy, disease prevention, and many others must be solved before we can be satisfied with the American Ideal as it works out in practice. Some years ago the game of football was played in a manner that was rough and dangerous. Frequent serious accidents were glossed over until at last public sentiment demanded protection for the boys that played this game. The rules of the game of living must be changed so that there will not be so many men and women deprived of the actual necessities for healthy citizenship. It is easy to see that the Americans who will help in this great work must be enlightened as to the unfairness of present conditions in order that they may meet the need intelligently.

To-day the real problem of America is the developing and educating of the *common will* in the spirit of the American ideal, and the making of an instrument of government through which the real wishes of the American people may be expressed. When America, it may be through the generation now at school, comes to full realization of her ideals, the state itself will have a conscience, an honor, a sacred word. Then will all the workings of the government be open, and plain to all men; then will come the possibility of moral life between states, so that a just League of Nations may be set up as an expression of the common will of mankind.

Signs are not wanting that the future holds the

realization of American ideals of national and international morality. The world has heard Jove's Thunder on the Right, and the first great notes of an international concert of peace have found echoes throughout all lands. The heart of mankind has responded, as it always does, to the expression of high ideals. From the days when Stephen Langton framed Magna Charta and thus gave Englishmen a bulwark of liberty, down through the centuries until the sad-hearted Lincoln uttered the briefest and most inclusive formula of popular government, the words of men gifted with extraordinary power of language have caught the attention and fired the hearts of all people. Humanity has moved forward by rallying to their noble battle cries of progress. It matters not that the realization of the heart's desire of a people seldom comes at the moment they are spoken, the golden sentences remain and continue to rouse the spirit of men until the very words make themselves come true.

THE IDEALS OF WORLD PEACE

Not long after the entrance of the United States into the Great War there was sent ringing over the world, in language clearly understood by all people, an enumeration of the basic principles upon which might be founded a true community of free peoples who, by mutual consent, should agree that "material force of arms should give way to moral right." Again and again were "American principles and American policies" held up before the eyes of the world, and to each re-statement of these high ideals, the war-tried nations assented. No battles fought during the Great War had greater force than the words that were spoken by the President of the United States. The Al-

lied powers of Europe agreed to and re-echoed their lofty sentiments and the whole world clung to them until the power of militarism had been battered down by force of arms backed by the "principles and policies of forward-looking men and women everywhere, of every modern nation, of every enlightened community."

It is true that when the war was over, there was a coming down from the high days of struggle and the hope of a just but merciful settlement of the world's affairs was not realized. But the great ideals held up to and approved by the whole world during the great conflict will never be erased from the hearts of men who love freedom and justice, will never die because "they are the principles of mankind and must prevail."

We shall say them over and over again, "the destruction of arbitrary powers that can singly threaten the peace of the world," "openness of treaties openly arrived at," "no private international understandings," "diplomacy frankly conducted in the public view," "settlement of all questions between nations upon the basis of free acceptance by the people immediately concerned," "absolute freedom of navigation of the seas," "the removal of all economic barriers," "reduction of armaments," "territorial settlements for the benefit of the populations concerned," "the consent of all nations to be governed in their conduct toward each other by the same principles of honor and respect for the common law of civilized society that govern individual citizens," "the self-determination of small nations," and that great, compact summary of the future international code, "a reign of law, based upon the consent of the governed, and sustained by the organized opinion of mankind."

It is idealistic, let us grant. But lack of idealism

is what the world is suffering from in these troubled days; more idealism must go into our private and public dealings if the American ideal is to live. For just as truly as this country was frankly founded on idealism, it cannot continue without constant support from the same source. *We must return*, as George Mason said we must, *to get a renewal from our foundation principles*. If the words that were spoken during the terrible days of the Great War made Americans willing to send the best blood of the nation to be spilled in the cause that was set up as our gage for battle, they must have had the force of truth; and if they were true then, they are true now. If Americans will it, they can realize these democratic principles, not only in the government of their own country, but in the government of the world. This last, not by force of arms, but by force of example, for if Americans are true to the ideals on which their country was founded, we shall move with slow steadfastness toward the realization of an all-pervasive love for justice that will make the whole world safe for a democracy that shall mean the "common good" of all mankind.

CHAPTER XVII

PATRIOTISM

They have rights who dare defend them.

Lowell.

The great trust now descends to new hands. Let us apply ourselves to that which is presented to us, as our appropriate object. We can win no laurels in a war for Independence. Earlier and worthier hands have gathered them all. Nor are there places for us by the side of Solon, of Alfred, and other founders of states. Our Fathers have filled them. But there remains to us a great duty of defense and preservation; and there is opened to us, also a noble pursuit, to which the spirit of the times strongly invites us. Our proper business is improvement. Let our age be an age of improvement. In the day of peace let us advance the arts of peace and the works of peace. Let us develop the resources of the land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered.

Daniel Webster (Bunker Hill Address, 1825.)

The patriotism of the people of the United States, like patriotism the whole world over, is centered about the country called home. Americans love the very land in which they dwell — the great, shapeless cities, the genial towns and rural villages, the pleasant countrysides and farm-lands, the swift rivers and broad lakes, the mountains, the sea-swept coasts and wind-swept plains. The son of New Hampshire has a special affection for the hills that shut him in as the son of Dakota takes inspiration from the open plains that stretch about him on every side. Besides their love for the soil on which they are born, the citizens of many

countries include a love for their king as part of their patriotism. They look upon their hereditary monarchs as symbols of nationhood. Americans, on the other hand, have no special veneration for their President, because his term of office is too short and he is too near the people to be revered on any grounds except his own personal worth. Our political party system has even made the chief executive a tempting target at which to cast bouquets one day or stones the next. He cannot assume a place too high above the people who elect him; but must remain within easy reach of their variant attentions.

But though they have no living symbol of nationality, Americans have developed a fictitious personification of the nation made up of qualities that they admire most and love best. This very real personage, alert, good-natured, yet sternly just, this national hero and patron, is affectionately called, "Uncle Sam." Into this creation of patriotic impulses has gone something of all America's national heroes, a trace of Patrick Henry, a large portion of George Washington, much of Jefferson's belief in common man, the vigor of Andrew Jackson, and a strong flavor of the rugged righteousness and patient humanity of Abraham Lincoln.

Much of the patriotism of America is spontaneous, natural, and unconscious. Its strength and compelling force was clearly shown during the testing time of the Great War when Americans went about that dreadful business almost as a matter of course. Thousands of the best young men of America did not wait to "think out" a line of action, but fell into rank at the command of the Government and bore like veterans the routine of camp and field.

They rallied under the Stars and Stripes, these young

Americans, and promptly two millions of them crossed the sea to shell-torn France. They hurried to the battle-front, many with little training in the ways of war, and there they fought with such valor and so intensely that victory was won speedily. And when the Great War was over, the tide of ships that took these young men to Europe came back with them to America, where they laid aside the khaki badge of special service to Uncle Sam to resume the duties of citizenship found in the ordinary walks of life, almost as if they had not taken part in the most terrific conflict the world had ever seen.

But life for these young men cannot and should not be the same as it was before the Great War. They fought for an ideal for which thousands gave their lives. Henceforth it behooves those who returned and those who remained "safe home" to advance the principles for which so much was sacrificed, by upholding an active, intelligent, conscientious patriotism in their own living and insisting upon nothing less in the lives of others.

For American patriots of this and coming generations must know exactly what is meant by *Americanism*; they must help to make it possible to readily register the will of the people; they must insist upon the education of the growing youth in the duties of citizenship; they must wipe out illiteracy; they must develop good Americans out of the immigrants that have already come and that will come to this country; and above all, they must make it possible for every one to attain what Americans have come to consider a decent living. These things must be done even at the cost of personal sacrifices in time and money and effort. In a word, the people of the United States must make for themselves a definition of patriotism that is more specific

than mere boasting and inspires more action than the display of Fourth of July fireworks. Their promise of allegiance must spring from their very hearts and affect their conduct toward their fellowmen if America, in the best sense, is to be "the land of the free and the home of the brave."

At the close of the Great War, many American citizens find themselves very much confused between two very aggressive and active small groups whose members cannot be considered as believers in the American ideal, which, as all Americans should know, sets as its object the greatest freedom of individual development consistent with the general good. On the one hand are those who hold that nothing short of a complete economic and social Revolution will cure the ills of society. The short-cut to that desired end they conceive as being accomplished by the Bolshevik forces in Russia. They seem to be anxious to induce the people of the United States to adopt the form of government that has controlled Russia since the Great War, and is proving of very doubtful benefit to the people as a whole, because the men in control are animated more by a determination to put their political and economic theories into practice than by a real consideration for the common good. On the other hand, like a stone wall, are the capitalistic interests, composed of groups of individuals who often seem to know less of patriotism than do the social revolutionists. In fact, big business, which should be a bulwark of patriotism because it is made up largely of educated men who have enjoyed unusual opportunity, is often a chief source of the economic discontent that stirs men to propose untried and doubtful theories of government on a world scale. There must be a real awakening on both sides,

for not until Capital and Labor are willing to consider each other as necessarily co-workers in the great tasks of industry will the American ideal be realized.

The good American citizen should examine carefully the motives and methods of the forces that make for either of these social and economic extremes, remembering that while there are elements of strength in both, the extremes of society are apt to be its weakest points. He should ever keep in mind the fact that the motive power on the one hand is too often selfishness filled with hatred, while on the other, it is selfishness coupled with a disregard for the rights of others.

He will find that in the world upheaval of the Great War, forces have been let loose that threaten to swamp civilization in the dark and hopeless flood of economic and political revolution: Many of the leaders in advocating revolution are men who have suffered political, economic, and perhaps religious oppression in Europe. They have been hungry and cold and repressed. They came to this country filled with the hatred of their oppressors. Here they see only another form of autocracy when wealth is piled up in the hands of a few, and hundreds of thousands are receiving less than a decent wage. Having no in-bred love for the United States, they seek to work out in this country the Revolution that they have set up in their minds as the only way by which justice can be secured. These leaders have rallied to their standard many other dissatisfied persons both foreign and native-born.

They do not realize that the great progress that has been made in America has come slowly and surely as the result of education and by the force of public opinion. They are not impressed with the fact that in the United States when a majority of the people are ready to

demand a change, it will come without any extraordinary upheaval of society. In fact, the will of the majority means nothing to this "inspired" minority of advanced thinkers. They expect to have a new world within their own lifetime. The true revolutionist in his zeal to establish "mass" rights by the "Revolution" is willing to wreck the present order, that there may come into being a great international brotherhood of laborers who shall rule the world.

The plain American who sincerely wishes to do his share for the common good will need to walk carefully, for he will often find that revolutionary leaders are men who have, or think they have, high ideals of the brotherhood of man, and are willing to make great personal sacrifices to bring about the ends they are striving for—better conditions of living for the masses. This cause should, in itself, bring to its standard the great, the wise, and the good, from the ranks of both labor and capital. But as our American scrutinizes the leaders of revolution closely, as he talks with them of economic conditions, of government, of life, and freedom, he will see plainly that they base their hope of reform on material prosperity alone and deny the needs of the spirit. He will find that many of those who are drawn to the standard of revolt are immature persons, talkative and egotistical youths, who, with rash hands, are eager to tear down the towering fabric of democracy, reared through the ages with toilsome patience. They have no substitute to offer that even pretends to be for *the common good of all the people*. Few of these ardent revolutionists can claim any jot of the title of reformer. They are filled with hate of the "capitalistic class" and long for the day when these

so-called oppressors of the workers will be stripped of their wealth and power.

The American who looks back as well as forward will not be led astray by false prophets; for while most of the thinking people in the world to-day believe that great economic changes are due to take place, in order that greater justice and more nearly equal opportunity may be open to all, they hope to bring about reforms by lawful methods. Among the social revolutionists they see no advocate of permanent reform, though they may recognize that his clamorous protest is in itself a help toward a better day.

The true reformer takes into account the good which is already established. He sees life in its relation to the past and its probable effect on the future. He loves things as they are and will not use physical force except as a last resort. He is willing to spend all his days in perfecting his philosophy and he is willing to die for his faith. He can afford to wait; it is the *cause* that is most precious to him, and he knows that if the cause be just, nothing in the world can hinder its ultimate realization.

After the open-eyed, young American has considered well the beliefs of the revolutionist and studied his proposed methods of reform, he will look at the other extreme where he will find conditions equally puzzling. For while the revolutionist makes open profession of his ideals, he will hear in the ranks of reaction loud-voiced protestations of patriotic zeal. He may even have to tear away the folds of the American flag before he comes at the truth that selfish greed, clothed in rich garments, considers neither the welfare of the nation nor the happiness of men. He will, if he be wise, ob-

serve the operations of big business that fall within his own observation; he will read books dealing with the industrial world; he will study labor conditions, labor-unions, and labor statistics; he will watch associations of business men — bankers, wholesalers, shippers, and all who have large control. He will note with serious questioning the business interests that are at work in the halls of state and national government.

Though the American student will get much of his information by reading, he should not be so simple as to believe all that he sees in print. He must recognize that the newspaper he reads does not depend for its support upon the few pennies he pays for it, but upon the advertisers, who may withdraw their patronage if its columns "knock" big business. He will, with this in mind, read discriminately, knowing that the streams from which plain people drink their daily draught of news are sometimes contaminated at the source. He must not be entirely surprised at this, for makers of newspapers must live, and not until the readers are willing to bear a good portion of the cost of publishing the news, not until the readers of newspapers are intelligent enough to make the publisher know that what is printed is going out to a keen-minded and thoroughly awakened public, not until the many good newspapers are appreciated and supported as they should be, may we be certain of finding in every newspaper first-hand information, unbiased by the interests of the selfish. Until then, every American must discriminate between the bad and the good, the unessential and the important, sifting and weighing and finally selecting the things that are worth while. For when all is said, the newspapers are the textbooks of the times and in their pages

appear, often unheralded, golden words that will live when the chaff of current writing has blown away.

Between the two extremes, the revolutionists and the interests, are the great mass of American people, for the most part comfortable, well-fed, intelligent, well-meaning, but extremely individualistic and frequently not alive to the questions of the day. At heart these decent, honest, fair-minded folk desire right and justice for all men. They have been indifferent because they have been uninformed and very busy with their own affairs. Even when glimmerings of the truth have reached them, the averseness to change that is natural in all people, great or small, has made them look with suspicion on new plans. The chances are that, without really informing themselves on the merits of the questions in dispute, they begin to call names and excite prejudices. Real reform is often sadly hampered by this tendency of well-intentioned citizens.

To-day any one who wishes to help social and economic progress and who dares to express doubts of the present economic system of the United States is apt to be called a "socialist," an "anarchist," an "I. W. W.," or a "Bolshevik." On the other hand, if he is steadfast in his desire to exercise even a moderate degree of patience and hesitation before casting his lot with measures advocated by extreme revolutionists, he is referred to by them as "reactionary," as "conservative," or — depth of benighted hopelessness — as "bourgeoisie."

No wonder that the plain American is confused and doubtful of the course he should pursue. Yet it is with this great, heretofore politically inactive mass of fair-minded, sane-thinking Americans and with their sons

and daughters who are now at school that the well-being of the future lies; for when the idea of economic justice has fully taken hold of them, the machinery for carrying out the purposes of the American people will be set in motion. There are signs that such an awakening is at hand. Since the days of the war, senators and representatives at Washington have been "hearing from home"; the mails are flooded with inquiries as to the reasons for the stand individual legislators are taking on important measures. Representatives are finding out that they merely "represent" the sovereign people, that they, in themselves, are not the sovereign power.

This method of questioning is a very excellent one for Americans to use in testing measures and persons who stand for them. Every representative of the people should be able and willing sooner or later to explain his reasons for advocating measures. This does not mean at all that representatives must be slaves of their constituents. A representative at the scene of action should know better than his constituents all angles of any question that comes up for legislation and so may not hold the same viewpoint as the uninformed people who elected him. But he must be willing to enlighten them, or if that is not permissible, either to let time prove him right, or expect to lose his public office. The American, properly inquisitive, should seek to know who are a candidate's backers, where his campaign funds come from, who his relatives-in-law may be, what his past record seems to reveal, what stripe of newspaper and political periodical supports him; in short, whether he appears to be working for himself or for the common good. Thus, without much excitement on the part of the voter, the burden

of proving that he is indeed fit to wear the robe of office can be placed directly upon the man who asks permission to represent his district.

When the time comes that every voter is awake to the necessity of safe-guarding this precious "general good," there will be set up in the United States the truly "responsible ministry" that the framers of the Constitution failed to provide for. Then will representative government express the will of the people and not the will of an obscure and selfish influence. The most potent agency to secure honest official conduct is the jealous eye of the people, whose good opinion is perhaps the most prized reward that an official can receive. But in keeping a sharp eye on officials, the American citizen should not forget the obligations of justice and fair-mindedness toward his elected representatives. It is easy to cast slurs. Constituents should exercise patience and tolerance, should try to understand the causes back of the acts of their representatives, who are often misunderstood because not given a chance to explain their votes.

The process of change in forms of government should be conscious and deliberate; we should see clearly the new need and set about a reconstruction only after due and sane consideration. The bringing on of that good time will be no over-night accomplishment; rather will it be a slow, steady progress set in motion by the general responsibility which Americans as individuals will assume for the conduct of the affairs of the United States of America. Then will be created a new ideal of patriotism in which, not fighting or dying, but living for one's country will be recognized as the patriot's first duty.

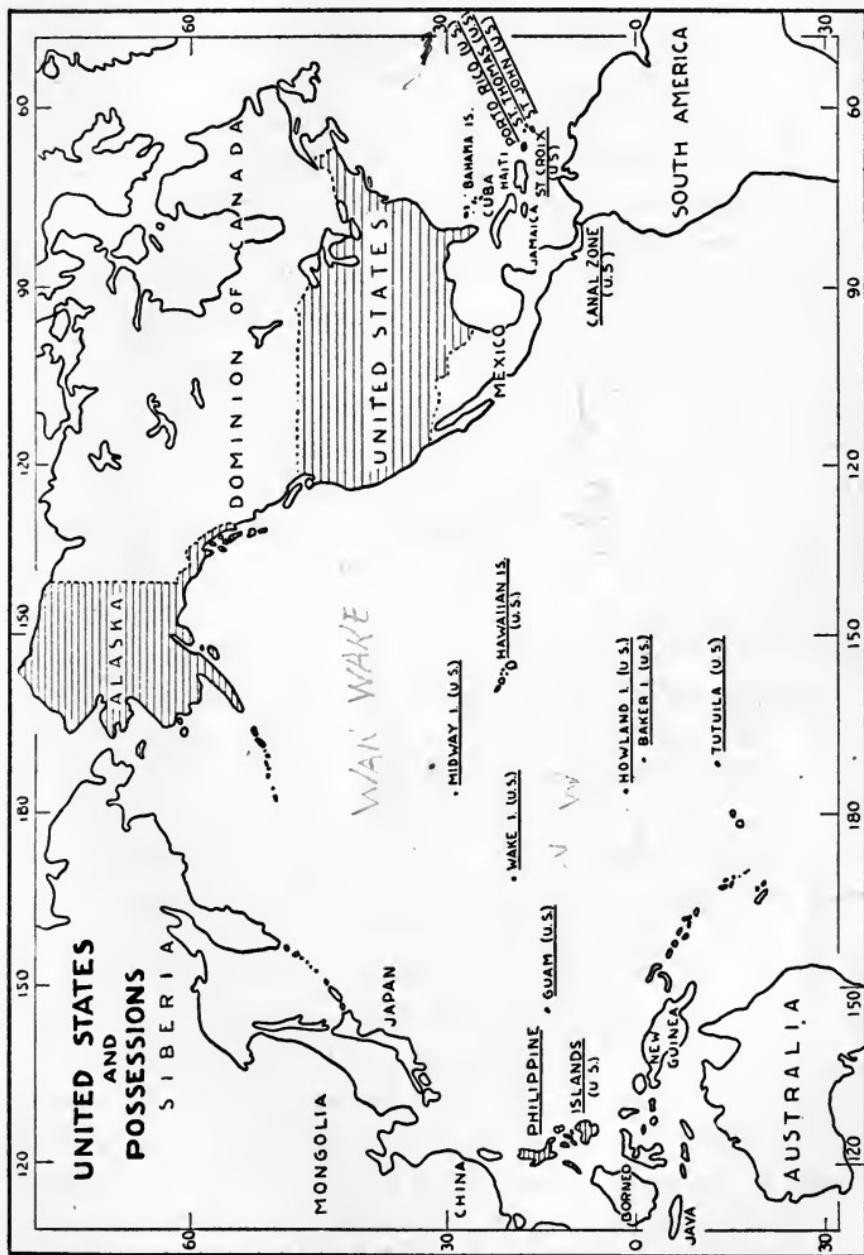
The forces of revolution that threaten America on

the one hand cannot be driven out by blows, bad names, or forcible suppression. They must be overcome by logical argument and by pointing out a better way. Ideas may be changed, but they cannot be killed. Both Lincoln and Jefferson said that error is not dangerous when truth is left free to combat it. The power of wealth that looms on the other hand must be met by keen intelligence and cool determination backed by innumerable hosts armed with the ballot.

That universal education has been a dominating American ideal, is a most significantly hopeful fact. An educated people will never allow itself to be indefinitely hoodwinked. To-day American education must take a new direction. Americans must read widely in history, in biography, in politics, in the social sciences. They must be able to discuss problems on their own merits, not on a selfish, personal basis. There must be a determined effort to organize brain power, that the great body of people may be able to get ideas by means of free, fair, and unheated discussion. Though there will probably never be absolute agreement of political parties, the people of a country must be in essential agreement, if there is to be any approach to a *community of will*.

The thinking young American will soon learn that in politics, nothing absolutely new can be safely attempted; he will realize that the sensible method of progress is by careful experiment; no nation can leap precipitately into a heaven on earth while human nature retains its imperfections. But while he may recognize the unwisdom of following revolutionary paths, there is nothing in the world to hinder the making of great changes, nothing to prevent reforms that may bring greater justice to all men, nor the enactment of laws

that will place restraining limits upon illegitimate business.



Americans must remember that it is not any single person's fault that such unfair conditions in the world of capital and labor have come about. But it will be the American's fault if such conditions are not made better, else why all this education at such great expense. Boys and girls must learn for themselves that success is not always measured by dollars. If the young people now in school are merely waiting until they grow up to get into the money-grabbing game, if success to them means merely a large bank account, and more money to spend, we might as well shut up our schools, give up our belief in the "common good," and join a mad procession headed toward chaos.

When boys grow to manhood they must carry on the game of life after the manner in which they are taught to play on the playground. In the code of boyhood's honor, the bully, the tight-fisted fellow, the braggart, and the crooked sport have no standing. Something of this spirit of intolerant exclusion must become the ground-work of business morality. The man who refuses to play fair in business must be shut out from the good fellowship of right-thinking men. Americans must change the present business code; there must be a new reaction to fair play, personal obligations, sacredness of contract, and honesty in all transactions; there must be a real belief and practice in the rule of live and let live, the "do as you would be done by" of childhood; a new reading of the commandment, "Thou shalt love thy neighbor as thyself."

Nor need Americans fear to examine carefully American institutions or even to criticize our fundamental law. It must be remembered that the Constitution of the United States, though it is truly a great document of human liberty, is not a sacred writing, is not an in-

spired and unalterable bible of political liberty. It was drawn up by men who were after all, but *men*. They did the best they could to make a form of government that would fit into the conditions that existed at the time. During the first hundred years following 1789, it was not customary to criticize the Constitution in the outspoken manner of to-day, but criticism is no longer considered treason; for every one knows that with the changes that have come in our nation, changes in the machinery of government must be made to meet new needs.

Nothing is impossible in the United States, a country which specializes in doing things "that can't be done." The growing generation scarcely realizes its possibilities. If the pupils in one class in one high school in any big American city should make up their minds that when they came to be men and women they would make their city beautiful, without slums, without low dens of vice, they could do it, though half the number might give up the enterprise before reaching manhood or womanhood. And it would be a far more interesting and absorbing accomplishment than piling up useless millions. Jane Addams and Jacob Riis have proved to this generation that there is no need to complain of a lack of opportunity for adventures in the absorbing cause of humanity.

In the city of New Orleans stands the first statue erected in the United States to the memory of a woman. The name on the pedestal is simply "Margaret." Thus the citizens of New Orleans have shown their gratitude to the Orphans' Friend, Margaret Haughery, an unlettered working woman, who was an angel of mercy to black and white alike. For every loaf of bread sold from her bake-shop, she gave another to the poor.

Although she achieved no nation-wide fame, thousands in her own city have called her blessed.

The list of duties the performance of which go to make up what is called patriotism, is already long, and as yet nothing has been said about physical education, which until recently has been almost totally neglected. It need only be said that nearly one-third of the young men examined for service in the army were pronounced "unfit." It should be but a poor sort of patriotism that would fail to change this condition now that it has been recognized. Nor has one word been said of Americanizing the foreigner. No need of that here, for if the American can be led to Americanize himself, the foreigner will readily follow in his footsteps.

Above all, the American should insist that his belief in God find expression in art — literature, music, painting, sculpture, architecture — and in life itself, in order that his spiritual nature may play a greater part in his patriotism. If we really believe in God, let us not be shame-faced about voicing and living our belief. A trust in the Creator has at least the honorable precedent of the ages; the practice of the laws of God in our daily lives has always made for better conditions of living and should not now be pushed out of consideration as a strengthening influence in the life of the nation.

The American of the period following the Great War can no longer remain a self-satisfied provincial; he must look out over the whole round world and try to understand the other people of this planet. He must recognize that there exists not only Great Britain and Ireland, Belgium, France, Germany, Scandinavia, and Switzerland, but that there is also a Spain, Portugal, and Italy, a Czecho-Slovakia, a Poland, a Serbia; that

there is a new, unknown Russia, that the fragments of the old Russia have resolved themselves into a Finland, an Ukrainian Republic, an Estonia, and a Lithuania; he must travel on, in his mind at least, to Asia with its unawakened China and its thoroughly alert Japan, its India, its Mesopotamia, its Persia and its Turkey; he must reckon with Australia and the islands that neighbor—the East Indies, New Guinea, and New Zealand; he must look over Africa, that great colonial prize at which the European nations are decorously stretching out velvet-clothed iron hands; he must come round to his home again and view the countries to the south of us, the South American republics, the West Indies, and unhappy Mexico. A vast outlook and one to fill nights and days with study for the American patriot who undertakes the project of becoming a cosmopolitan.

The signers at Philadelphia set the United States of America a big task when they decided to start out on the principle that governments derive their just powers from the consent of the governed. Unless the American people of the present day wish to throw this doctrine overboard—and there seems to be no such desire—they are in honor bound to show to the hopeful new republics which have been carved out of the empires of Europe, that they are willing to undertake as their “fortunate duty,” the task of proving that a government by the people is possible.

Being a patriot is a man's and a woman's job and calls for the same qualities of patience, forethought, and self-control that are required in making a worthwhile success anywhere, at any time. Above all things, Americans need to stand off and take a look at themselves. They need to ask themselves whether they really

believe in democracy or are merely in love with the fine phrases in which its ideal have been expressed. They need to press the question of social justice home to themselves, to stand before their own eyes and find out whether they are willing to advocate fair play to all men or merely to themselves and a few favored others. They must find out whether, having fought to make the world safe for democracy, they know what it is to be democratic; they must follow the logic of truth and know themselves for what they are, not for what they profess.

The young people who are in school to-day are standing on the top of the world. They are heirs to all that has come down through the ages; in these years the whole world is thrilling with great ideals, and is sick with longing to have the ideals come true. The generation now in school has a mighty task before it. To them the torch has been thrown. They will not dare to break faith, these men and women of to-morrow, who must not only work for the common good, but who must carry on. For security against national, political, and economic disaster, through carelessness, indifference, and ignorance, will be assured to the future only by the training of the oncoming hosts of the new generations in the principles of right living, justice, and fair play. In this way only can be maintained a permanent, standing army of citizens, the fighting men of which have been physically, mentally, and spiritually prepared to do their share of the world's work.

APPENDIX I

THE DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing

invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.— Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Natural-

ization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most

valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably inter-

rupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

JOHN HANCOCK.

New Hampshire — JOSIAH BARTLETT, WM. WHIPPLE,
MATTHEW THORNTON.

Massachusetts Bay — SAML. ADAMS, JOHN ADAMS, ROBT.
TREAT PAINE, ELBRIDGE GERRY.

Rhode Island — STEP. HOPKINS, WILLIAM ELLERY.

Connecticut — ROGER SHERMAN, SAM'EL HUNTINGTON,
WM. WILLIAMS, OLIVER WOLCOTT.

New York — WM. FLOYD, PHIL. LIVINGSTON, FRANS.
LEWIS, LEWIS MORRIS.

New Jersey — RICHD. STOCKTON, JNO. WITHERSPOON,
FRAS. HOPKINSON, JOHN HART, ABRA. CLARK.

Pennsylvania — ROBT. MORRIS, BENJAMIN RUSH, BENJA.

FRANKLIN, JOHN MORTON, GEO. CLYMER, JAS. SMITH,
GEO. TAYLOR, JAMES WILSON, GEO. ROSS.

Delaware — CÆSAR RODNEY, GEO. READ, THO. M'KEAN.

Maryland — SAMUEL CHASE, WM. PACA, THOS. STONE,
CHARLES CARROLL of Carrollton.

Virginia — GEORGE WYTHE, RICHARD HENRY LEE, TH.
JEFFERSON, BENJA. HARRISON, THOS. NELSON, jr., FRANCIS
LIGHTFOOT LEE, CARTER BRAXTON.

North Carolina — WM. HOOPER, JOSEPH HEWES, JOHN
PENN.

South Carolina — EDWARD RUTLEDGE, THOS. HEYWARD,
Junr., THOMAS LYNCH, Junr., ARTHUR MIDDLETON.

Georgia — BUTTON GWINNETT, LYMAN HALL, GEO.
WALTON.

APPENDIX II

CONSTITUTION OF THE UNITED STATES (1789)

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

SECTION 1.

1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2.

1. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2. No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

3. Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all

other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

5. The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

2. Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

3. No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

5. The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

6. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

7. Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4.

1. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

2. The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5.

1. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

2. Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

3. Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those present, be entered on the Journal.

4. Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6.

1. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall

have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7.

1. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

2. Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it; but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Re-consideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

3. Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by

two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a bill.

SECTION 8.

The Congress shall have Power

1. To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
2. To borrow Money on the Credit of the United States;
3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
4. To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;
5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
6. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;
7. To establish Post Offices and post Roads;
8. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;
9. To constitute Tribunals inferior to the supreme Court;
10. To define and Punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;
11. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
12. To raise and support Armies, but no Appropriation

of Money to that Use shall be for a longer Term than two Years;

13. To provide and maintain a Navy;
14. To make Rules for the Government and Regulation of the land and naval Forces;
15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;
16. To provide for organizing, arming and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;
17. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States. and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And
18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9.

1. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or Duty may be imposed on such Importation, not exceeding ten dollars for each Person.

2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

3. No Bill of Attainder or ex post facto Law shall be passed.

4. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

5. No Tax or Duty shall be laid on Articles exported from any State.

6. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

8. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present; Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10.

1. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

2. No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except

what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

3. No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

ARTICLE II.

SECTION 1.

1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

2. Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

3. The electors shall meet in their respective States, and vote by ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Repre-

sentatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.¹

4. The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

5. No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

6. In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such

Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

7. The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

8. Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2.

1. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

2. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

3. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3.

1. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4.

1. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1.

1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION. 2.

1. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State; — between Citizens of different States; — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

2. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

3. The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3.

1. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

2. The Congress shall have Power to declare the Punish-

ment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

SECTION 1.

1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2.

1. The Citizen:- of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

2. A person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up to be removed to the State having Jurisdiction of the Crime.

3. No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION 3.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

2. The Congress shall have Power to dispose of and

make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4.

1. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

1. The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

1. All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation.

2. This Constitution, and the Laws of the United States

which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

1. The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. *In Witness whereof We have hereunto subscribed our Names,*

G°: WASHINGTON —

Presidt, and Deputy from Virginia¹

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION.

ARTICLE I. (1791)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II. (1791)

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III. (1791)

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV. (1791)

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V. (1791)

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or

naval forces, or in the Militia, when in actual service in time of War or in public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI. (1791)

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE VII. (1791)

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII. (1791)

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX. (1791)

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X. (1791)

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.¹

ARTICLE XI. (1798)

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.²

ARTICLE XII. (1804)

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest number not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of

a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.¹

ARTICLE XIII. (1865)

SECTION 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2.

Congress shall have power to enforce this article by appropriate legislation.²

ARTICLE XIV. (1868)

SECTION 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No

State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.¹

ARTICLE XV. (1870)**SECTION 1.**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2.

The Congress shall have power to enforce this article by appropriate legislation.²

ARTICLE XVI. (1913)**SECTION 1.**

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.³

ARTICLE XVII. (1913)**SECTION 1.**

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

SECTION 2.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the Legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by elections as the Legislature may direct.

SECTION 3.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.⁴

ARTICLE XVIII. (1919)**SECTION 1.**

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited.

SECTION 2.

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislature of the several States, as provided by the Constitution, within seven years from date of the submission hereof to the States by the Congress.

ARTICLE XIX. (1920)**SECTION 1.**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

SECTION 2.

Congress shall have power, by appropriate legislation, to enforce the provisions of this Article.

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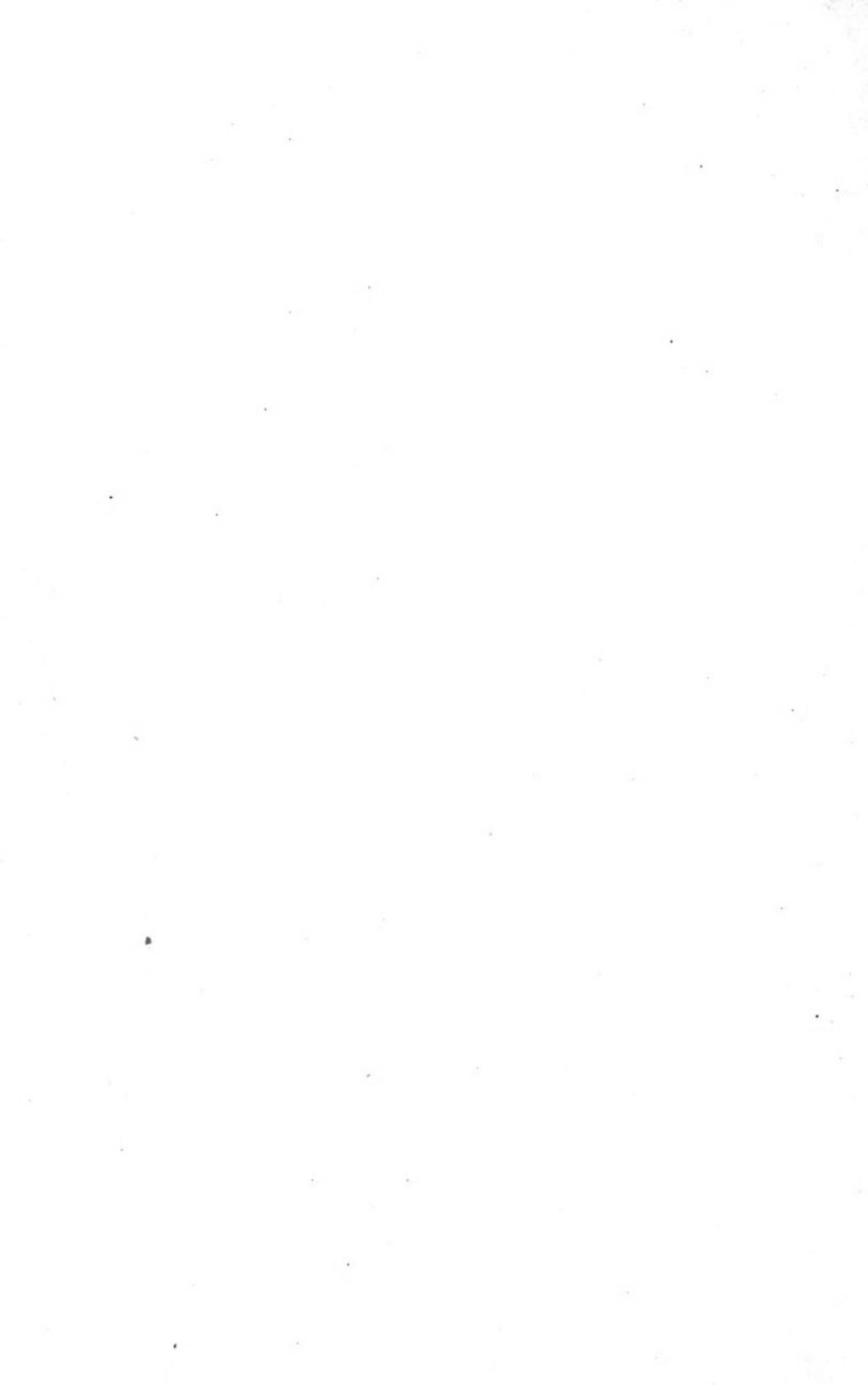
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